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Children and armed conflict

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1539 (2004), by which the Council requested me to submit a report on the implementation of that resolution and its resolutions 1379 (2001) and 1460 (2003), providing information on compliance and progress in ending the recruitment and use of children in armed conflict by those parties mentioned in my 2003 report (A/58/546-S/2003/1053 and Corr.1 and 2), including information on other grave violations and abuses (see resolution 1539 (2004), para. 15 (a)); the action plan for a systematic and comprehensive monitoring and reporting mechanism (ibid., para. 2); incorporation of best practices for disarmament, demobilization and reintegration programmes (ibid., para. 15 (c)); and measures to control illicit subregional and cross-border activities that are harmful to children (ibid., para. 3).

II. Information on compliance and progress in ending the recruitment and use of children and other violations being committed against children

2. The present report provides information on developments covering the period from the issuance of my last report, on 10 November 2003, through December 2004.

3. The preparation of the present report involved broad consultations within the United Nations, particularly with the Task Force on Children and Armed Conflict at Headquarters, peacekeeping missions and country teams, as well as with Member States, regional organizations and non-governmental organizations. United Nations peacekeeping missions and United Nations country teams were the primary sources of the information contained in the report. Following the adoption of Security Council resolution 1539 (2004), my Special Representative for Children and Armed Conflict brought to the attention of United Nations peacekeeping missions and

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country teams the provisions of the resolution and its implications for their roles at the country level, emphasizing in particular their primary responsibility for ensuring effective follow-up to that resolution and other resolutions related to children and armed conflict.

4. The United Nations field representatives have encountered various constraints in the collection of information, including security problems, non-cooperation of parties and the absence of a coherent and functioning mechanism for monitoring and reporting at the country level. Because of similar constraints, there have been relatively few cases where United Nations representatives in the field have initiated dialogue as specific follow-up to and in implementation of Security Council resolution 1539 (2004). However, in several cases dialogue had been ongoing, typically concerning humanitarian access and disarmament, demobilization and reintegration programmes.

5. The experience of the United Nations peacekeeping missions and country teams in seeking to implement the provisions of Security Council resolution 1539 (2004) and to compile information for the present report underscores particularly the urgent importance of establishing a systematic and comprehensive monitoring and reporting mechanism.

6. Progress made by the parties listed in annexes I and II below and named in the body of my 2003 report has been assessed with respect to whether the parties have engaged in dialogue with United Nations field representatives as a follow-up to Security Council resolution 1539 (2004); whether, through this dialogue, or in the context of other processes, such as disarmament, demobilization and reintegration planning, they have developed action plans to end the use of child soldiers; whether they have, in fact, ceased recruiting and using child soldiers; and whether they have refrained from committing other grave violations against children.

7. In the context of the present report, it should be emphasized that there is no universally applicable definition of "armed conflict" in general, and in particular that the mandate of my Special Representative for Children and Armed Conflict does not contain a definition of the term. In the performance of his mandate, my Special Representative has adopted a pragmatic and cooperative approach to this issue, focusing on ensuring broad and effective protection for children exposed to situations of concern, rather than dwelling on the definition of the term "armed conflict". Reference in the present report to any State or situation should not be construed as a legal determination that there exists a situation of armed conflict within the meaning of the Geneva Conventions and their Additional Protocols.

A. Information on compliance and progress in situations on the agenda of the Security Council

Developments in Afghanistan

8. Although skirmishes continued in Afghanistan between Government forces, remnants of the Taliban regime and regional and local warlords, the recruitment and use of child soldiers have declined significantly. In the reporting period, the United Nations country team could not obtain specific and reliable information on which factional armed groups may have continued to use children. No commitments have been made by these groups to end this practice. There have been no reported cases

of recruitment of children into the Afghan National Army. Meanwhile, the country team has continued to engage in dialogue with local commanders throughout the country in order to implement the Afghanistan New Beginnings Programme, the national disarmament, demobilization and reintegration process, launched in February 2004. Through a parallel child-specific demobilization and reintegration programme led by the United Nations Children's Fund (UNICEF), over 3,820 children were demobilized by September 2004 in the north-eastern, eastern, central highland and central regions.

Developments in Burundi

9. While the majority of parties in Burundi have made commitments to end the use of child soldiers and have begun to participate in disarmament, demobilization and reintegration processes, several armed groups have continued to recruit and use children. Since November 2003, child soldiers have been integrated into the national general disarmament and demobilization Joint Operations Plan. Through the Child Soldiers National Structure, more than 2,260 child soldiers from Forces armées burundaises (FAB) and allied civil defence militias (Gardiens de la paix) had been demobilized and reintegrated in their families by September 2004.

10. In conformity with Security Council resolution 1539 (2004), the executive secretariat for the national disarmament, demobilization and reintegration programme and the United Nations Operation in Burundi (ONUB) facilitated dialogue between the Child Soldiers National Structure and the Forces pour la défense de la démocratie (Kaze-FDD) of Jean Bosco Ndayikengurukiye, the Conseil national pour la défense de la démocratie (CNDD) of Leonard Nyangoma, the Forces nationales de liberation-Icanzo (FNL-Icanzo) of Alain Mugabarabona and the armed political parties Parti libérateur du peuple (PALIPE)-Agakiza of Etienne Karatasi and Front de libération nationale (FROLINA) of Joseph Karumba. This dialogue resulted, in early July 2004, in commitments from these five armed groups to cease recruitment of persons under the age of 18, to adhere to the normative standards protecting children against recruitment and to adopt the guiding principles of the child-soldiers demobilization process.

11. Representatives of the five armed groups were appointed to the Child Soldiers National Structure, and focal points were assigned to assembly areas where combatants — including children — awaited demobilization. By the end of August 2004, coordinators and focal points were trained by the Child Soldiers National Structure in many aspects of the disarmament, demobilization and reintegration of child soldiers, and action plans were designed for the demobilization of children by the end of 2004. The Conseil national pour la défense de la démocratie — Forces pour la défense de la démocratie (CNDD-FDD) of Pierre Nkurunziza has engaged in dialogue with the United Nations field team and has also appointed representatives to coordinate and facilitate the demobilization of children in their ranks. In December 2004, a second intensive phase of demobilization of child soldiers was launched. 618 children in the ranks of the six armed movements mentioned above were demobilized between 6 and 15 December. These children were transferred to the Gitega demobilization centre, which was reserved solely for children. By 31 December, all of the children were reintegrated in their communities.

12. Despite the above-mentioned progress, concerns remain regarding the recruitment of children by CNDD-FDD of Pierre Nkurunziza for civil defence

militias and by CNDD-Nyangoma in Bururi province (in the communes of Buyengero, Bururi, Matana, Songa and Burambi), where more than 40 youths left secondary schools in June 2004 for military training camps.

13. The Parti de libération du peuple hutu-Forces nationales de libération (PALIPEHUTU-FNL) of Agathon Rwasa has continued to use and recruit children. ONUB initiated dialogue with this armed group as a follow-up to Security Council resolution 1539 (2004); however, no commitments were received to end these practices, and dialogue was suspended after the massacre in the Gatumba refugee transit camp on 13 August 2004, for which FNL-Rwasa claimed responsibility. Armed attackers torched 7 of 15 shelters and killed more than 160 Congolese refugees, including children and women. An independent investigation into the Gatumba massacre, conducted by ONUB, the United Nations Mission in the Democratic Republic of the Congo (MONUC) and the Office of the United Nations High Commissioner for Human Rights (UNHCHR), confirmed the responsibility of FNL-Rwasa but did not provide conclusive evidence of the identity of other perpetrators. In April 2004, FNL-Rwasa destroyed a therapeutic nutritional centre in Kabezi. Renewed fighting in rural Bujumbura during July and August included attacks on schools, such as the Mutumba secondary school of Kabezi, which was targeted by FNL.

Developments in Côte d'Ivoire

14. In the 30 July 2004 Accra III Agreement, which was aimed at consolidating further the peace process in Côte d'Ivoire, parties committed themselves to the commencement of the disarmament, demobilization and reintegration process by 15 October 2004. UNICEF established dialogue with the Forces armées nationales de Côte d'Ivoire (FANCI) and the Forces armées des forces nouvelles (FAFN). This resulted in the release of 273 child soldiers from FAFN and the declaration by FAFN on 15 September 2003 that it would halt the recruitment of children within its ranks and those of allied militia groups under its control. Although no specific and reliable information has been obtained in the reporting period on recruitment by armed groups now integrated into the FAFN forces, children continue to be present in the ranks of the following, formerly independent, armed groups: the Mouvement pour la paix et la justice (MPJ), the Mouvement populaire ivoirien pour le Grand Ouest (MPIGO) and the Mouvement patriotique de Côte d'Ivoire (MPCI). The Office of the United Nations High Commissioner for Refugees (UNHCR) has reported that approximately 20 child members of the Lima *force supplétive* — which operates alongside FANCI — were recruited from the Nicla camp for Liberian refugees in western Côte d'Ivoire.

Developments in the Democratic Republic of the Congo

15. Since the establishment of the Transitional Government in the Democratic Republic of the Congo, the Forces armées congolaises (FAC, the armed forces of the former Government), the Mouvement de libération du Congo (MLC), the Rassemblement congolais pour la démocratie-Goma (RCD-Goma), the Rassemblement congolais pour la démocratie-Kisangani/Mouvement de libération (RCD-K/ML), the Rassemblement congolais pour la démocratie-National (RCD-N) and the main Mai-Mai groups represented at the inter-Congolese dialogue are being integrated into the new national army, the Forces armées de la République démocratique du Congo (FARDC). While this is a positive step, the various military

units have yet to be fully integrated; in many cases the units are only nominally FARDC, and some of them continued to use children. The slow progress in this restructuring has resulted in continued insecurity in many areas and has been one of the obstacles to ending armed conflict, thereby contributing as well to ongoing risks of recruitment and use of children.

16. In early 2004, the Transitional Government adopted a national policy and procedural framework for the disarmament, demobilization and reintegration of children in FARDC and all other armed groups. Reflecting constitutional and legislative provisions that had come into force over the past year, this framework reinforced the commitment that no persons under 18 years of age should be recruited into or present in any armed group or force. The Commission nationale de désarmement, démobilisation et réinsertion, the national disarmament, demobilization and reintegration body established in March 2004, has been actively planning the national disarmament, demobilization and reintegration programme with the Structure militaire d'integration, MONUC, the United Nations country team and NGOs. A certificate formalizing the release of children came into effect in May 2004. During the reporting period, MONUC, UNICEF and child protection partners have been collaborating with the Commission nationale in the ongoing separation of children from armed forces and groups, as well as in other child-related aspects of the national disarmament, demobilization and reintegration programme. They have also continued dialogue with military officials to advocate and plan the separation of children. This dialogue has involved direct contact with field-level commanders, the Ministry of Defence and the FARDC leadership. Since the designation of FARDC regional military commanders in October 2003, some 5,000 children, a small number of them girls, have been released from armed forces and groups. The planning of reintegration projects has also continued.

17. In Ituri, some progress has been made through dialogue with various armed groups as well as through collaborative disarmament, demobilization and reintegration planning by the United Nations country team and NGOs. In May 2004, the Forces armées populaires congolaises (FAPC), the Front nationaliste et integrationaliste (FNI), the Parti pour l'unité et la sauvegarde du Congo (PUSIC), the Union des patriotes congolais (UPC)-Thomas Lubanga faction and UPC-Floribert Kisembo faction formally committed themselves to participate in the disarmament and community reintegration programme, which first became operational in early September 2004. As of mid-December, almost 700 children had passed through this programme. An unspecified number of children had been released from these groups prior to the disarmament and community reintegration process. In November and early December there were a number of reports of harassment, arrest and re-recruitment of children who passed through the disarmament and community reintegration process in Kpandroma and Mahagi. There have been allegations, now under investigation, that three children who wished to enter the process were executed by elements of FAPC. Subsequently, MONUC intervened and dismantled the FAPC camp where these killings and other abuses reportedly took place in December. Three bodies, which could be those of the above-mentioned children, were subsequently found at the site.

18. Despite some of the advances mentioned above, thousands of children remain in the armed forces and armed groups in the Democratic Republic of the Congo, and recruitment, though not systematic, has continued. The *etat-major*, though reiterating its commitment to separate all children from FARDC, has not yet

provided adequate information about the presence of children in its numerous brigades. Although some regional and local commanders have released children, no mass release of children has yet taken place. Mai-Mai groups, some of them integrated into FARDC and mainly stationed in the Kivus, Maniema and Katanga, still have a high percentage of children in their ranks, and some have recruited children during the reporting period. The Ituri armed groups and Mudundu — 40 have used and at times recruited or re-recruited children in violation of commitments made. My Special Representative for the Democratic Republic of the Congo, in his 12 August 2004 letter to the Minister of Defence, raised concerns regarding the continuing recruitment and use of children, while noting the positive steps taken to initiate legal proceedings against a commander accused of recruitment of children in Bukavu. In response, the Minister of Defence passed the information to the Interior Minister and also to the Auditeur militaire of the FARDC *etat-major* for follow-up action. Further, the Minister of Human Rights urged the Interior Minister to remind the armed groups of their responsibilities.

19. The disarmament, demobilization, repatriation, resettlement and reintegration staff and child protection advisers of MONUC have established dialogue with the Force démocratique de libération du Rwanda (FDLR) and FDD, and during the past year these groups have released a small number of children, who have been repatriated to Rwanda and Burundi. However, security problems have been a major obstacle to the United Nations assessment of the compliance of these groups.

20. In addition to the above-mentioned groups, the dissident armed group led by Laurent Nkunda and Jules Mutebutsi recruited and used children during the Bukavu crisis in May and June 2004. This dissident armed group also engaged in rape and other sexual violence against children.

21. In areas affected by conflict in the Democratic Republic of the Congo, the majority of the above-mentioned groups have committed rape and other forms of sexual violence against children. In Ituri, an increase in the number of rapes of girls and women, often by armed men in uniform but of unidentified affiliation, was reported in and around Bunia and Mahagi in November and December. Judicial authorities in Ituri, reinstalled in 2004, have made efforts to prosecute those responsible for abuse but face many constraints. Most cases of rape of children in various parts of the Democratic Republic of the Congo were committed with impunity. It is hoped that the sentencing of an FARDC corporal in December to 20 years imprisonment for the rape of four young children and sexual abuse of four others will send a strong message that these crimes will not be tolerated.

22. Although the level of conflict has decreased since the establishment of the Transitional Government, there have been incidents where schools, hospitals and nutritional centres have been pillaged and attacked, notably in South Kivu by Nkunda and Mutebutsi's armed group in June 2004. The resumption of the conflict in North Kivu in December has caused more than 150,000 people to flee their villages. Although the exact number of children is unknown, it is likely that they constitute a significant proportion of the total. Reports were received of a massacre — primarily of women and children — allegedly carried out by ex-RCD-Goma rebels in Nyabiondo on 18 and 19 December in revenge for an attack by ex-Mai-Mai in the same area. MONUC is also looking into reports of killings and abductions by ex-RCD-Goma as they marched from Walikale to Masisi. It confirmed one killing by ex-RCD-Goma in Buramba (North Kivu). Reports of

killings of children by Mai-Mai, FDLR, FNI and FAPC were also received over the past year. Eight children were killed by FNI, in Lengabo (Ituri) in September 2004.

Developments in Liberia

23. The signing of the Liberia peace accord in Accra in August 2003, by the Movement for Democracy in Liberia (MODEL), Liberians United for Reconciliation and Democracy (LURD) and the former Government of Liberia, led to the establishment of the National Transitional Government of Liberia. MODEL, LURD and the former Armed Forces of Liberia (AFL) participated in the disarmament, demobilization, rehabilitation and reintegration programme that was initially launched in December 2003 and resumed in April 2004 in Gbarnga, Bong County. By October 2004, more than 10,000 children — including more than 2,300 girls — had been disarmed and demobilized and more than 9,600 children were reunified with their families.

24. Some 120 children from Sierra Leone, Guinea and Côte d'Ivoire have been demobilized from Liberian former fighting forces, and the International Committee of the Red Cross (ICRC) continued cross-border tracing and reunification. The United Nations Mission in Liberia (UNMIL), ICRC and the relevant Government ministries cooperated in ensuring the protection and security of the children during the repatriation and reunification process.

25. Rape and other acts of grave sexual violence were committed against girls who were recruited or abducted by the former armed forces and other armed groups in Liberia. Approximately 75 per cent of demobilized girls who passed through the interim care centres reported having suffered some form of sexual abuse or exploitation. Despite the cessation of hostilities, reports of rape and other forms of sexual violence have persisted in camps for internally displaced persons, and girls have continued to be trafficked in and out of Liberia for sexual purposes.

Developments in Somalia

26. Substantial progress in the peace process in Somalia was made with the completion of the Somali National Reconciliation Conference and the formation of the Transitional Federal Government. Although several of the main faction leaders pledged to demobilize their militias, several of these used significant numbers of child soldiers during the reporting period. These include the United Somali Congress/Somali Salvation Alliance (USC/SSA)-faction of Muse Sudi Yalahow, the Juba Valley Alliance, the Rahanwein Resistance Army (RRA) of Mohamed Ibrahim Habsade and the Lower Shabelle Administration (all alliance member factions of the Somali National Salvation Council (SNSC)); the Puntland Administration, the Middle Shabelle Administration, the Somali Patriotic Movement/Somali Reconciliation and Restoration Council (SPM/SRRC) and the RRA/SRRC of Mohamed Nir "Sharti gadud" (all alliance member factions of the SRRC); and the USC of Mohamed Kanyare Afrah and the USC of Omar Mohamed. The Somalia United Nations country team is in the process of preparing a "deed of commitment" document on protection and human rights, with provisions concerning the cessation of recruitment and the disarmament, demobilization and reintegration of child soldiers, to which adherence by all armed parties will be sought. With the current peace process in its final phase and fighting still ongoing in parts of the country, there is no national disarmament, demobilization and reintegration programme.

Nevertheless, local child-soldier disarmament, demobilization and reintegration projects have been implemented in Mogadishu, Merca and Kismayo, where 360 children were demobilized by September 2004.

Developments in the Sudan

27. The United Nations has actively facilitated the Intergovernmental Authority on Development-led north-south peace talks between the Government of the Sudan and the Sudan People's Liberation Movement/Army (SPLM/A), which resulted in the signing of the Comprehensive Peace Agreement on 31 December 2004, as well as assisting African Union efforts to find a political solution for the ongoing crisis in Darfur.

28. Ongoing dialogue between the United Nations and SPLM/A — particularly concerning the recruitment and use of child soldiers and their disarmament, demobilization and reintegration — resulted in the demobilization of 800 children in Western Upper Nile in early 2004. A draft interim policy for SPLM/A on the prevention of the recruitment and use and the disarmament, demobilization and reintegration of child soldiers has been developed for inclusion in the national disarmament, demobilization and reintegration programme. Nevertheless, SPLM/A has continued its recruitment and re-recruitment of children.

29. The United Nations country team has not yet been able to initiate dialogue with the South Sudan Unity Movement (SSUM), which continued to recruit and use children and has not developed an action plan to halt this practice.

30. The Janjaweed have used children within their ranks in Darfur, have killed and maimed children and have committed widespread rape and other grave sexual violence against women and children.

31. In July and August 2004, a Human Rights Watch mission to Darfur observed child soldiers with the Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM). The African Union Ceasefire Commission has reported recruitment of child soldiers by SLM/A. The United Nations team was planning to engage in dialogue with SLM/A at the time of the writing of the present report.

Developments in the occupied Palestinian territory and Israel

32. The continued Israeli-Palestinian conflict has had a deep impact on the lives of children. Both Palestinian and Israeli children have been exposed to high levels of violence, including killing, maiming and injury. In several instances, Palestinian children have been wounded or killed while on the premises of schools run by the United Nations Relief and Works Agency for Palestine Refugees in the Near East. Israeli children have been among the victims of Palestinian suicide bombings and other violence during the reporting period.

Developments in Iraq

33. Because of security concerns it has not been possible to make a comprehensive United Nations assessment on the situation of children in Iraq. However, numerous other sources have established that many children have been killed or maimed as a consequence of the violence there. Numerous children were killed or injured during air bombings and other military operations carried out by Coalition/multinational

forces and Iraqi forces in urban centres. In some cases, access to hospitals was hindered by such military operations. Children were also the victims of numerous attacks by armed groups. The Iraqi Ministry of Health reported that approximately 125 children had died throughout Iraq as a result of military acts between April and August 2004. Children are also among the many Iraqis abducted for ransom by Iraqi armed groups.

34. Threats to children posed by unexploded ordnance, landmines and other live ammunition within Iraq persisted throughout 2004; in Baghdad alone, there were an estimated 800 hazardous sites, the majority containing cluster bombs and caches of dumped ammunition.

35. The unstable security situation in 2004 not only severely constrained the reconstruction of health and educational infrastructure, but resulted in attacks on schoolchildren, schools and hospitals.

B. Information on compliance and progress in situations not on the agenda of the Security Council or in other situations of concern

Developments in Colombia

36. Some progress has been made in ending the recruitment and use of children by illegal armed groups in Colombia. Following its December 2002 ceasefire, the Autodefensas Unidas de Colombia (AUC) stated that it would release all children under the age of 18 from its ranks. Since that date, the Bloque Central Bolívar, the Bloque Cacique Nutibara, the Bloque Metro and the Bloque Calima of AUC have handed over nearly 180 children to joint commissions composed of representatives of the Government of Colombia's High Commissioner for Peace, the Colombian Institute for Family Welfare, the Office of the Ombudsperson and UNICEF. With the active support of the Government of Colombia, UNICEF undertook informal exploratory talks with AUC and the Ejército de Liberación Nacional (ELN). However, despite the willingness demonstrated by these groups to engage in dialogue, no commitments were made to halt the recruitment and use of children. The Fuerzas Armadas Revolucionarias de Colombia (FARC), the Autodefensas Unidas del Sur del Casanare (AUSC), the Autodefensas Campesinas de Córdoba y Urabá (ACCU), the Autodefensas de Magdalena Medio (ACMM), the Autodefensas del Meta (AM), the Autodefensas Campesinas del Sur del Cesar (ACSC), the Bloque Centauros, the Bloque Norte, the Bloque Mineros, the Bloque Pacífico, the Autodefensas del Puerto Boyaca (APB) and the Autodefensas de Cundinamarca (AC) also continued to recruit and use children and have not made a commitment to stop these practices.

37. Despite this unacceptable situation, the national disarmament, demobilization and reintegration programme of the Colombian Institute for Family Welfare has assisted over 800 children who left illegal armed groups between November 2003 and December 2004. Another 550 children were assisted during the last two years by the International Organization for Migration's disarmament, demobilization and reintegration programme for indigenous and Afro-Colombian children in Chocó and Cauca provinces.

38. Members of illegal armed groups were alleged to have killed and maimed children as well as committed rape and other forms of sexual violence against

children. In September 2004, FARC killed a 15-year-old girl whom they had kidnapped in 2003. Landmines and unexploded ordnance continued to claim the lives of children.

Developments in Myanmar

39. Although ceasefire agreements between the Government of Myanmar and 17 non-State armed groups remained in force, there continued to be skirmishes between the Government armed forces (Tatmadaw) and the Karen National Liberation Army (KNLA), the Karenni Army (KA), the Shan State Army-South (SSA-South) and small armed opposition groups in Mon state. In January 2004 the Government established the Committee for the Prevention of Military Recruitment of Under-Age Children. The Committee developed a plan of action, adopted in early October 2004, which included provisions for the discharge of children under 18 from military service and their reintegration into their families and communities.

40. Although practical constraints have prevented a comprehensive assessment of the use of minors by Government armed forces and non-State armed groups in 2004, there continued to be reliable reports from the United Nations country team, diplomatic missions and NGOs about the recruitment and use of children by Government armed forces and a range of non-State armed groups. No commitments to halt such practices were received from KNLA and KA, parties which were mentioned in my 2003 report.

Developments in Nepal

41. The United Nations country team in Nepal has initiated contacts with the Communist Party of Nepal-Maoist (CPN-M), mainly regarding general humanitarian principles and access, and in May 2004 it initiated engagement with CPN-M commanders at the local level to discuss issues concerning women and children, including under-age recruitment. However, no commitment or action plan to halt the recruitment and use of children emerged from these discussions, nor have child disarmament, demobilization and reintegration programmes been established. Intensified conflicts between CPN-M and Government forces resulted in large numbers of children being trained as soldiers in CPN-M strongholds in the districts of Jumla and Jajarkot, in mid-western Nepal. Since January 2002, the Maoists have abducted several thousand children, girls as well as boys. Although the majority of abducted children have been allowed to return to their homes, after a couple of weeks of ideological indoctrination and military training, they have remained "on call" for operational duties and, when required, have often been attached to the main armed groups in their areas.

42. CPN-M has engaged in the killing and maiming of children; between January and June 2004, over 50 children were killed and 110 injured. Some children suspected of involvement with CPN-M have been killed by security forces, including unarmed children accused of serving in non-combatant roles.

43. A large number of schools were closed due to the efforts of CPN-M to mobilize students into its "student wing", the All Nepal National Independent Student Union (Revolutionary) (ANNISU-R); these activities sometimes involved the abduction and murder of teachers.

Developments in Northern Ireland

44. In the reporting period, it was not possible to obtain specific and reliable information concerning the recruitment of children by paramilitary groups in Northern Ireland. No commitments were made by any of these groups to end this practice or to refrain from other abuses against children, including paramilitary-style assaults and paramilitary-style shootings.

Developments in the Philippines

45. Significant progress has been made in the Philippines with the 14 February 2004 agreement between the Government of the Philippines and the National Democratic Front to establish the Joint Monitoring Committee to monitor the implementation of the 1998 Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law. The Office of the Presidential Adviser on the Peace Process and the Council for the Welfare of Children reactivated the Inter-Agency Committee for Children Involved in Armed Conflict. The Inter-Agency Committee has identified strategies to provide for the protection of such children, including the provision of legal and judicial assistance, direct negotiations with armed groups to stop the recruitment and use of children, services for the healing and reintegration of child former combatants and the development of a communications plan and database. The Inter-Agency Committee was mandated to initiate projects for the prevention of recruitment and for the rescue, rehabilitation and reintegration of children involved in armed conflict. In September 2004, President Arroyo unveiled the basic framework of a new Government peace plan that includes stipulations for the prevention of the recruitment and use of children in armed conflict, as part of the continuation and conclusion of formal peace talks with the Moro Islamic Liberation Front (MILF) and the National Democratic Front-New People's Army (NDF-NPA), parties known to have child soldiers in their ranks.

46. As of September 2004, no measures for the disarmament, demobilization and reintegration of child soldiers had been taken by NDF-NPA or MILF. A joint needs assessment of MILF communities — conducted under the auspices of the World Bank, the United Nations country team and the Government — will provide information and guidance for recruitment prevention and reintegration of child soldiers; these initiatives will be pursued once a peace agreement is reached with MILF. The United Nations country team has been further engaged in dialogue with the Office of the Presidential Adviser on the Peace Process in order to develop a disarmament, demobilization and reintegration programme. No reports were received on continuing recruitment or use of children by the Moro National Liberation Front (MNLF), which became largely inactive as an armed group, and no reports exist of recruitment by the Abu Sayyaf Group (ASG).

Developments in the Russian Federation

47. The targeting and terrorizing of children by Chechen illegal armed groups reached an unprecedented level in the September 2004 hostage-taking of children, parents and teachers at Middle School No. 1 in Beslan, North Ossetia, of the Russian Federation. This act of terror, for which Shamil Basayev's illegal armed group claimed responsibility, resulted in the deaths of over 330 people, more than half of whom were children. Over 200 children were injured. The Prosecutor-General of the Russian Federation is conducting an official investigation into the

hostage-taking tragedy in Beslan. In the reporting period, the United Nations country team in the Russian Federation was not able to obtain specific and reliable information on recruitment or use of children by these groups. No commitments were made by any of these illegal armed groups to end this practice.

Developments in Sri Lanka

48. Despite some progress achieved in Sri Lanka with the July 2003 signing by the Liberation Tigers of Tamil Eelam (LTTE) of the Action Plan for Children Affected by War, in which that armed group agreed to halt recruitment and release all children within its ranks, LTTE has continued to use and recruit children. During 2004, more than 1,000 cases of new recruitment and re-recruitment were reported to UNICEF, a high percentage of the recruits being girls. Re-recruitment was particularly high in the eastern part of the country. Altogether, there have been more than 4,700 cases of child recruitment, some involving children as young as 11, since April 2001. Of these children, more than 2,900 have returned or been released to their families, including approximately 1,230 who were formally released and over 1,660 who went home following fighting in eastern Sri Lanka in April 2004 and the fall of the Karuna faction of LTTE. In addition, at least 550 children have run away from LTTE during the reporting period.

49. LTTE has often carried out recruitment by force, abducting children while on their way to school or during religious festivities, and beating families and teachers who resisted the seizure of the children.

Developments in Uganda

50. The Lord's Resistance Army (LRA) continued to recruit and use children in northern Uganda. Efforts were under way at the end of 2004 to negotiate a cessation of hostilities, and a first direct meeting between a delegation of the Government of Uganda and LRA took place on 29 December in northern Uganda. However, no dialogue on the issue of the recruitment and use of children had been established with LRA, nor had it made commitments to end these practices. Between October 2003 and July 2004, LRA abducted at least 3,000 children, including some 1,600 in the Gulu district and nearly 250 in the Kitgum district. In the same period, local reception centres facilitating the reintegration of formerly abducted children in the Gulu, Pader, Kitgum and Lira districts received 2,133 new child escapees.

51. LRA has also been responsible for the killing and maiming of children. For example, 15 children were killed in the massacre of 42 civilians at Lukodi in May 2004. LRA has also been involved in widespread sexual violence against girls whom it has abducted. A particularly horrendous massacre took place in February 2004 in the Barlonyo camp for internally displaced persons in Lira district. Out of more than 200 persons killed, 67 were children. To date, no independent investigation has been conducted into the Barlonyo massacre.

52. UNICEF and child protection NGOs have engaged in dialogue with the Uganda People's Defence Force (UPDF) and affiliated Local Defence Units (LDUs) regarding the recruitment and use of children. The Human Rights Desk of UPDF reported that it had been given responsibility for screening new recruits to ensure compliance with the national legislation forbidding conscription under the age of 18. However, UPDF had not yet established an operational system for determining whether recruits are of age.

53. Despite this progress, spot checks by child protection agencies, facilitated by UPDF, have found some children in the ranks of the UPDF 105 battalion, largely comprising re-recruited LRA members, and in LDUs.

C. Sexual exploitation and abuse by United Nations peacekeeping personnel

54. Notwithstanding the fact that tens of thousands of United Nations peacekeepers serve with distinction across the world, in 2004 the number of allegations of sexual misconduct against United Nations peacekeeping personnel increased significantly. In the Democratic Republic of the Congo, a large number of allegations of sexual exploitation and abuse of local women and children were made against both military and civilian peacekeeping personnel. A series of United Nations investigations into these allegations have so far resulted in cases for disciplinary action being made against 20 military personnel. In addition, allegations relating to five civilian peacekeeping personnel in the Democratic Republic of the Congo have led to one resignation and one civilian being held in detention in France on criminal charges. The Department of Peacekeeping Operations is continuing investigations into all outstanding allegations of sexual exploitation and abuse against peacekeeping personnel in the Democratic Republic of the Congo.

55. In October 2004, my Adviser on sexual exploitation and abuse, Prince Zeid Ra'ad Zeid Al-Hussein, Permanent Representative of Jordan to the United Nations, undertook a preliminary assessment of the situation in the Democratic Republic of the Congo. Further to that visit and the report of the Office of Internal Oversight Services investigation into sexual exploitation and abuse by peacekeeping personnel in the Democratic Republic of the Congo, I am deeply concerned to learn that the problem appears to be more serious and widespread than previously known. Peacekeeping personnel come to help countries and communities torn by war. It is imperative that, whether civilian or uniformed, they uphold the trust that the local population and the international community have placed in them.

56. Procedures to address sexual exploitation and abuse have been in place in the past in peacekeeping operations. However, our current approach to addressing this problem needs to be seriously reviewed across all peacekeeping operations. To this end, informal consultations with troop- and police-contributing countries have been initiated to identify joint solutions to the problem of sexual exploitation and abuse in peacekeeping contexts.

D. Recommendation

57. In view of the widespread and unacceptable patterns of violations recorded in the present report, I recommend that the Security Council take targeted and concrete measures where insufficient or no progress has been made by parties named in the lists annexed to my reports, in accordance with its resolutions 1379 (2001), 1460 (2003) and 1539 (2004). Such measures should include the imposition of travel restrictions on leaders and their exclusion from any governance structures and amnesty provisions, the imposition of arms embargoes, a ban on military assistance and restrictions on the flow of financial resources to the parties concerned.

III. Action plan for the establishment of a monitoring, reporting and compliance mechanism

A. Introduction

58. The present section of the report is in response to the request of the Security Council in its resolution 1539 (2004), paragraph 2, for the devising of an action plan for a systematic and comprehensive monitoring, reporting and compliance mechanism.

59. The proposals discussed below represent an action plan for the establishment of a monitoring, reporting and compliance mechanism, composed of various bodies and actors, each of which brings the role and added value of its area of jurisdiction, mandate, competence and expertise. The proposed actions, taken together, are designed to create a critical mass of response to ensure compliance and bring about the "era of application". This action plan builds on the proposals for monitoring and reporting submitted to the Security Council in 2003 and my report to the General Assembly (A/59/331) of 3 September 2004, and draws on extensive consultations on this issue conducted among all stakeholders, particularly Member States, United Nations entities, regional organizations and NGOs.

60. The Graça Machel report of 1996 on the impact of armed conflict on children laid the foundation for the children and armed conflict agenda and constituted a seminal call to action. In the course of the past several years, my Special Representative for Children and Armed Conflict has led collective efforts, involving UNICEF and other United Nations entities, Governments, regional organizations and NGOs, to develop and transform the children and armed conflict agenda into concrete actions and initiatives. These have yielded important, tangible results and generated strong momentum for the children and armed conflict agenda:

(a) There is greatly increased visibility, global awareness and advocacy on children and armed conflict issues;

(b) The protection of war-affected children has been firmly placed on the international peace-and-security agenda;

(c) An impressive and comprehensive body of children and armed conflict norms has now been put in place;

(d) The protection and well-being of children are increasingly reflected in the mandates, training and reports of United Nations peacekeeping operations;

(e) Key regional organizations — such as the European Union, the Organization for Security and Cooperation in Europe, the Organization of American States, the African Union, the Commonwealth, the Economic Community of West African States (ECOWAS), the Human Security Network and the Group of Eight industrialized countries — have adopted children and armed conflict concerns as part of their own agendas through important political declarations, advocacy and programme activities;

(f) Children's concerns are increasingly being considered in peace negotiations, peace accords and post-conflict programmes for rehabilitation and rebuilding;

(g) A major movement for advocacy and operational activities on the children and armed conflict agenda has developed among NGOs;

(h) The mainstreaming of children and armed conflict issues is taking hold in several institutions and mechanisms, within and outside the United Nations;

(i) Transitional justice processes and mechanisms have incorporated children and armed conflict concerns to hold accountable those responsible for crimes against children;

(j) Important local initiatives on children and armed conflict issues have been developed in several countries;

(k) The establishment of the role of child protection advisers, and their deployment, in peacekeeping operations represents an important innovation designed to ensure that children and armed conflict concerns are integrated in a significant way into all aspects of peace operations;

(l) The practice of listing offending parties in the Secretary-General's annual reports to the Security Council represents a landmark development for monitoring and reporting;

(m) The systematic practice of obtaining concrete commitments and benchmarks from parties to conflict is being developed;

(n) There are initiatives to develop the systematic documentation of abuses against children in conflict situations, such as the databases on abduction in Uganda and on recruitment in Sri Lanka, developed by UNICEF.

61. In spite of these advances, the situation for children remains grave and unacceptable on the ground. The international community is now faced with a cruel dichotomy. On the one hand, clear and strong children and armed conflict protection standards and important concrete initiatives, particularly at the international level, have been developed. On the other hand, atrocities against children and impunity for violators continue largely unabated on the ground.

62. The key to bridging this gulf lies in a systematic campaign for the "era of application". My Special Representative has made the campaign for the era of application a leitmotif of his advocacy, urging the international community to redirect its energies from the normative task of the elaboration of standards to the compliance mission of ensuring their application on the ground.

63. The call for the era of application has been endorsed by the Security Council, and in its resolution 1539 (2004), the Council called for the urgent establishment of a monitoring and reporting mechanism.

64. The campaign for the era of application encompasses four key components: advocacy and dissemination of children and armed conflict norms; developing and strengthening local civil society networks for protection, monitoring and rehabilitation; mainstreaming children and armed conflict issues into the programmes and mechanisms of key institutions, within and outside the United Nations; and the establishment of a monitoring, reporting and compliance mechanism to ensure compliance with children and armed conflict norms.

B. Monitoring and reporting, leading to action

65. The purpose of a monitoring, reporting and compliance mechanism is to provide for the systematic gathering of objective, specific and reliable information on grave violations committed against children in situations of armed conflict, leading to well-informed, concerted and effective responses to ensure compliance with international and local children and armed conflict protection norms. An objective of the present report is to set out an action plan for the development of such a mechanism.

66. The present section of the report addresses several pertinent issues concerning the establishment of a monitoring, reporting and compliance mechanism, in particular the following:

(a) The most grave violations that should be particularly monitored;

(b) Standards that constitute the basis for monitoring;

(c) Parties whose activities should be monitored;

(d) The gathering and compilation of information at the country level;

(e) The review and integration of information and the preparation of reports at the Headquarters level;

(f) Bodies that constitute "destinations for action" for monitoring reports.

67. The proposed monitoring, reporting and compliance mechanism draws on existing resources at both the national and the international level. Thus, no new entity or structure will be established for this purpose. The mechanism operates at three principal levels: information-gathering, coordination and action at the country level; coordination, scrutiny and integration of information and preparation of reports at the Headquarters level; and concrete actions to ensure compliance, to be taken particularly by bodies that constitute "destinations for action". My Special Representative and UNICEF will play a particularly important role in the establishment and implementation of this mechanism.

C. The most grave violations that should be particularly monitored

68. Certain practices should receive priority attention, both because they constitute especially egregious violations against children and because they can be monitored. Specifically, monitoring efforts should focus on the following six grave violations:

(a) Killing or maiming of children;

(b) Recruiting or using child soldiers;

(c) Attacks against schools or hospitals;

(d) Rape or other grave sexual violence against children;

(e) Abduction of children;

(f) Denial of humanitarian access for children.

Although some of the above-stated abuses may occur in non-conflict situations, the monitoring and reporting regime proposed here is specific to situations of armed

conflict. Within this framework, particular priorities may vary according to specific situations.

D. The standards that constitute the basis for monitoring

69. A credible monitoring, reporting and compliance mechanism must be based on specific and clear standards. There is now a comprehensive body of such instruments and norms in place for the protection of war-affected children. These standards, listed below, are specific and provide well-defined yardsticks for monitoring and reporting violations against children in situations of armed conflict.

70. At the international level these standards include the Convention on the Rights of the Child (1989) and its Optional Protocol on the Involvement of Children in Armed Conflict (2000); the Rome Statute of the International Criminal Court (1998); International Labour Organization (ILO) Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999); the African Charter on the Rights and Welfare of the African Child (1999); the Geneva Conventions (1949) and their two Additional Protocols (1977); and Security Council resolutions 1261 (1999), 1314 (2001), 1379 (2001), 1460 (2003) and 1539 (2004), which are devoted to the subject of children and armed conflict.

71. In addition to these international instruments and norms, national legislation exists that provides for the protection, rights and well-being of children. There are also concrete commitments on children and armed conflict which have been entered into by parties to conflict.

72. Peace accords incorporating children and armed conflict commitments, such as the 1998 Good Friday Agreement on Northern Ireland, the 1999 Lomé Peace Agreement on Sierra Leone, the 2000 Arusha Peace and Reconciliation Agreement for Burundi and the 2003 Accra Peace Agreement on Liberia, also constitute clear standards for the protection of children and their prioritization in post-conflict peacebuilding and reconstruction.

73. Significantly, various societies can draw on their own traditional norms governing the conduct of warfare. Societies throughout history have recognized the obligation to provide children special protection from harm, even in times of war. Distinctions between acceptable and unacceptable practices have been maintained, as have time-honoured taboos and injunctions proscribing the indiscriminate targeting of civilian populations, especially children and women.

E. Parties whose activities should be monitored

74. An effective monitoring, reporting and compliance regime must monitor and seek to influence the conduct of all parties to conflict, Governments as well as insurgency groups. In this respect, it is also important to monitor the conduct of international peacekeeping and humanitarian personnel.

75. The international instruments and standards listed above, which constitute the normative yardsticks for monitoring violations, address and place obligations at the doorsteps of all parties to conflict. It is crucial to engage in protection dialogue with all entities whose actions have a significant impact on children, without any

implications as to their political or juridical status. My Special Representative for Children and Armed Conflict and UNICEF have developed a systematic practice of engaging in dialogue with and obtaining concrete commitments from all parties to conflict, and the Security Council has called on all parties to conflict to observe the concrete commitments they have undertaken.

76. The lists submitted to the Security Council, which identify the offending parties, encompass all offending parties, while preserving a clear distinction between parties in situations on the agenda of the Security Council and parties in situations not on the agenda of the Council and other situations of concern.

77. At political and practical levels there are levers of influence that can have significant sway with all parties to conflict. In today's world, parties to conflict cannot operate as islands unto themselves. The viability and success of their political and military projects depend on networks of cooperation and good will that link them to the outside world, to their immediate neighbourhood as well as to the wider international community. There are, consequently, powerful factors that can influence all parties to conflict: the force of international and national public opinion; the desire of the parties for acceptability and legitimacy at the national and the international level; international accountability as enforced by the International Criminal Court and ad hoc tribunals; restrictions on the external provision of arms, financial flows and illicit trade in natural resources; the growing strength and vigilance of international and national civil societies; and media exposure.

F. Gathering, vetting and compiling information at the country level

78. At the forefront of efforts to advocate, monitor and ensure compliance for the era of application are country-level child protection actors, some of which are already engaged in various levels of monitoring and reporting activities. United Nations peacekeeping operations and United Nations country teams, under the leadership of Special Representatives of the Secretary-General and resident coordinators, respectively, are present and active in virtually all conflict-affected situations. Their presence, knowledge and ongoing operations provide unique opportunities for advocacy, monitoring and reporting. As reaffirmed in Security Council resolution 1539 (2004), the primary responsibility for follow-up, coordination and monitoring of children and armed conflict issues at the country level belongs to the United Nations field teams, both peacekeeping operations and country teams, consistent within their respective mandates.

79. Child protection networks, which bring together all stakeholders concerned with child protection and rehabilitation in informal networks and forums for dialogue and collaboration, now exist in several war-affected countries and situations. These informal networks should provide resources for building a structured and concerted children and armed conflict monitoring and reporting system on the ground. Child protection networks are typically composed of United Nations actors, relevant Government ministries or institutions, international NGOs and local NGOs and civil society organizations, which undertake a range of advocacy and programmatic activities for the benefit of children. Where they are not yet in place, UNICEF and United Nations peacekeeping operations (child protection advisers) should undertake to facilitate the formation of child protection networks in those war-affected countries.

80. In each country where children and armed conflict is an issue, a task force on monitoring and reporting will be constituted, involving key members of the child protection network. The task force on monitoring and reporting should be the primary focus and locus for action on monitoring and reporting at the country level — gathering, vetting and integrating field-level information and providing reports to the country Special Representatives of the Secretary-General or resident coordinators, who, in turn, transmit the reports to my Special Representative for Children and Armed Conflict.

81. It is crucial to support and strengthen national institutions for the protection and rehabilitation of children in conflict and post-conflict situations. The development and strengthening of civil society networks for advocacy, protection, monitoring and rehabilitation, at the national and the subregional level, should become a particular priority. This is the best way to ensure local ownership and sustainability. It will require enhanced support and assistance from international partners.

Actions to be undertaken by United Nations field teams

82. Special Representatives of the Secretary-General and resident coordinators are ultimately responsible for ensuring United Nations-wide follow-up, mainstreaming, coordination and monitoring and engaging in dialogue with parties to conflict on children and armed conflict issues; they are the focal points at the country level. They may delegate day-to-day responsibility for these tasks to the task forces on monitoring and reporting. The direct leadership and personal involvement of Special Representatives of the Secretary-General and resident coordinators, in consultation with UNICEF, is critical with respect to key issues such as dialogue, action plans and specific political démarches at the country level with Government authorities and other concerned parties.

83. Task forces on monitoring and reporting should be constituted and, whenever possible, draw particularly from child protection networks on the ground. A task force on monitoring and reporting should be a selected and cohesive group of those United Nations actors (peacekeeping operations, UNICEF, the Office for the Coordination of Humanitarian Affairs, UNHCR, UNHCHR, the United Nations Development Programme (UNDP)) and NGO actors that have experience in and are most directly concerned with monitoring and reporting. The task force on monitoring and reporting would serve as both the locus and the focus of action, responsible for determining the division of labour; coordinating the gathering of information on the ground; vetting and confirming the accuracy of information received; integrating and providing quality control for the information received; providing feedback to local communities and civil society organizations; providing guidance and training in methodology, as well as in ethical and security matters, to information gatherers; making determinations on practical and political constraints, with recommendations to Special Representatives of the Secretary-General or resident coordinators, as necessary; and preparing the monitoring and compliance country reports. Where there is a peacekeeping mission, the task force on monitoring and reporting would be coordinated and co-chaired by the Deputy Special Representative of the Secretary-General and a UNICEF representative, with the former serving as the reporting conduit to the Special Representative of the Secretary-General. In a country without a peacekeeping mission, the UNICEF

representative would chair the task force and report in this regard to the resident coordinator.

84. In order to perform effectively the functions of protection, monitoring and reporting, UNICEF, UNHCR, peacekeeping operations, UNHCHR and the Office for the Coordination of Humanitarian Affairs, as United Nations entities with important child-protection mandates, will take concrete steps to strengthen the capacities of their field presence in terms of personnel, training and funding. Similarly, NGOs involved in monitoring and reporting should also strengthen their capacities for this purpose.

85. In peacekeeping missions, advocacy and monitoring and reporting on child protection should constitute a core function for child protection advisers. Other personnel, such as human rights officers, humanitarian affairs officers and military observers, should be fully briefed on child protection issues during their pre-deployment and in-mission training with a view to facilitating their mainstreaming into the mission's activities. Within United Nations country teams, these functions depend particularly on UNICEF providing leadership, in close cooperation with UNHCR, UNHCHR and the Office for the Coordination of Humanitarian Affairs. In carrying out their respective roles, a collaborative division of labour should be developed to ensure inter-agency coordination at the country level.

86. To ensure the reliability of information and devise a system for quality control and confidentiality, each task force on monitoring and reporting should establish a rigorous and systematic procedure for vetting information gathered, protecting sources and ensuring the security of the raw data. Although general monitoring and reporting practices may be the same across country situations, country-level particularities will necessitate specific approaches by the task force. Ultimately, it is critical that information transmitted be objective, accurate and precise. Typically, such information should include concise descriptions, specifying incidents of violations, where and when the incidents occurred and the identity of parties responsible for committing the violations.

87. Task forces on monitoring and reporting should prepare annual country reports, monthly reports on relevant developments and alert reports as necessary.

88. Under the coordination and management of UNICEF, a task force on monitoring and reporting should establish and maintain a monitoring and reporting information database at the country level, which feeds into the central monitoring and reporting information database at the Headquarters level.

89. In order to encourage and develop effective "neighbourhood initiatives" to address cross-border and subregional children and armed conflict concerns, it is necessary to constitute a neighbourhood consultation framework — "neighbourhood watch" — that would periodically bring together UNICEF, United Nations peacekeeping operations (child protection advisers) and other child protection actors within neighbouring countries to address common challenges, strengthen collaboration, share information and explore joint initiatives and reporting, in cooperation with the Governments concerned.

90. Task forces on monitoring and reporting should undertake periodic assessments of best practices and lessons learned, in the context of children and armed conflict monitoring and reporting. Lessons learned at the country level should be shared with Headquarters and the "neighbourhood watch".

91. In order to promote children and armed conflict protection and mainstreaming, the Security Council should, when necessary, consider including child protection in the mandates of peacekeeping missions, and Special Representatives of the Secretary-General should take concrete steps, consistent within their mandates, to ensure that their country reports devote specific sections to child protection, as stipulated by the Council in its resolutions 1460 (2003) and 1539 (2004).

G. Review and integration of information and the preparation of reports at the Headquarters level

92. Information gathered at the country level is transmitted to the Office of the Special Representative of the Secretary-General for Children and Armed Conflict by Special Representatives of the Secretary-General or resident coordinators, for review, consolidation and compilation into monitoring and compliance reports. This Headquarters exercise is spearheaded by the Office of the Special Representative for Children and Armed Conflict, which is the focal point for the preparation of the Secretary-General's report and the convener of the Task Force on Children and Armed Conflict. The Task Force, established since May 2000, consists of the Office of the Special Representative for Children and Armed Conflict, UNICEF, the Department of Peacekeeping Operations, the Department of Political Affairs, the Office of Legal Affairs, UNHCHR, the Office for the Coordination of Humanitarian Affairs, the United Nations Development Fund for Women (UNIFEM), the Department for Disarmament Affairs, the Office of the Special Adviser on Africa, the Office of the Special Adviser on Gender Issues and Advancement of Women, UNHCR, UNDP and ILO.

93. Working in close consultation with the Task Force on Children and Armed Conflict, the Office of the Special Representative for Children and Armed Conflict will be responsible for scrutinizing and consolidating the country reports and compiling the information into an annual monitoring and compliance report. In the preparation of this report, the Office of the Special Representative will coordinate the consolidation of information and the preparation of monitoring reports; scrutinize information received and seek necessary clarification from United Nations field teams; draft the monitoring and compliance reports; prepare lists of offending parties, while maintaining a clear separation between parties in situations on the agenda of the Security Council and parties in situations not on the agenda of the Council; distribute draft reports to members of the Task Force on Children and Armed Conflict for their review, inputs and comments; convene the Task Force for reviews of and consultations on structure, content, monitoring lists and scrutiny of draft reports; and consult with and solicit inputs and comments from delegations, regional organizations, ICRC and NGOs.

94. The annual report should be comprehensive in approach, encompassing the aforementioned six categories of grave violations, in situations of armed conflict and other situations of concern. It should provide concise, objective and accurate information on violations. Where applicable, the report should also record concrete examples of protection and compliance measures undertaken by parties to conflict.

95. A steering committee of the Task Force on Children and Armed Conflict will be convened to undertake a regular review of overall progress in monitoring and reporting, focusing particularly on the implementation and functioning of the

mechanism. The steering committee, which will meet at the level of principals twice a year and at the level of experts every month, will be composed of the following members of the Task Force: the Office of the Special Representative for Children and Armed Conflict UNICEF, the Office for the Coordination of Humanitarian Affairs, the Department of Peacekeeping Operations, UNHCR and UNHCHR.

96. In the context of preparing monitoring reports and lists, it should be emphasized that there is no universally applicable definition of "armed conflict" in general, and in particular that the mandate of my Special Representative does not contain a definition of the term. In the performance of his mandate, my Special Representative has adopted a pragmatic and cooperative approach to this issue, focusing on ensuring broad and effective protection for children exposed to situations of concern, rather than on the definition of the term "armed conflict". The mention or discussion of any particular State or situation should not be construed as a legal determination that there exists a situation of armed conflict within the meaning of the Geneva Conventions and their Additional Protocols.

97. Monitoring lists are not intended to name countries as such; the purpose is to identify particular parties to conflict that are responsible for specific grave violations against children. In this respect, the names of countries are cited only in order to indicate the locations or situations where the offending parties are committing the violations in question.

Actions to be undertaken by the Task Force on Children and Armed Conflict at the Headquarters level

98. The Office of the Special Representative of the Secretary-General for Children and Armed Conflict, working with the Task Force on Children and Armed Conflict, will continue to prepare an annual monitoring and compliance report, which will be submitted to the following "destinations for action" for their review and action in the context of their respective mandates and competences: the Security Council, the General Assembly, regional organizations, national Governments, the International Criminal Court and the Commission on Human Rights.

99. The Office of the Special Representative and the Task Force will also compile ad hoc reports as necessary for transmission to other "destinations for action", in particular, the Committee on the Rights of the Child and the proposed working group of the Sub-Commission on the Promotion and Protection of Human Rights.

100. The Office of the Special Representative and the Task Force will monitor progress concerning the integration of children and armed conflict issues into key peace-and-security activities, particularly in relation to mandates of peace operations, planning of new peace missions, reports from peacekeeping missions and country-specific and relevant thematic Security Council resolutions.

101. The Office of the Special Representative and the Task Force will keep under regular review significant children and armed conflict developments in specific situations, in order to propose actions and raise timely alerts as necessary.

102. The Office of the Special Representative and UNICEF will establish and manage a central monitoring and reporting information database on behalf of the steering committee, drawing on the monitoring databases compiled at the country level.

103. Each United Nations entity that is a member of the Task Force will designate a senior-level or mid-level dedicated departmental focal point for children and armed conflict, and the focal points should become regular participants in the Task Force.

104. In order to provide common approaches and guidelines for the monitoring and reporting mechanism, the Office of the Special Representative and UNICEF will compile monitoring and reporting guidelines, drawing on experience to date and working with the Task Force, United Nations peacekeeping operations, United Nations country teams and NGOs.

105. Members of the Task Force, particularly the Office of the Special Representative, UNICEF, UNHCHR, UNHCR and the Office for the Coordination of Humanitarian Affairs, will continue to play their respective advocacy roles actively, drawing on the information provided through the mechanism.

106. After the launch of the mechanism, its smooth implementation and full operationalization will require intensive interaction, including regular field visits by the Office of the Special Representative and UNICEF, and regular guidance between the Task Force and United Nations field teams, to ensure ongoing review, feedback and a smooth two-way flow of information. A formal assessment of the implementation of the mechanism will be conducted one year after its launch.

H. Bodies that constitute "destinations for action", with responsibility for taking necessary action based on the monitoring reports

107. Reports compiled should serve as triggers for action on the part of the appropriate international, regional and national bodies, each employing the means and levers of influence at its disposal to ensure the protection, rights and well-being of war-affected children. Such actions may range from calls for compliance to condemnation of violations to the application of targeted measures. The key "destinations for action" are national Governments, the Security Council, the General Assembly, the International Criminal Court, the Commission on Human Rights and regional organizations.

1. National Governments

108. Governments have the most direct formal, legal and political responsibility to ensure the protection of all children exposed to armed conflict within their countries. It is important to stress both the centrality and the immediacy of the role of national authorities to provide effective protection and relief to all children in danger. In this regard, national Governments constitute the first "destination for action", the first line of response. Any actions by United Nations entities and international NGOs at the country level should always be designed to support and complement the protection and rehabilitation roles of national authorities, never to supplant them. In situations where national protection institutions have been greatly weakened by the experience of protracted armed conflict, international partners should make it a priority to support the rebuilding of local institutions and capacities for protection and rehabilitation.

Actions to be undertaken by national Governments

109. National Governments should enact and apply relevant national legislation to ensure the protection, rights and well-being of children and should ensure the protection and rehabilitation of war-affected children within their jurisdiction. Whenever appropriate, relevant Parliamentary committees, such as committees covering human rights, development, humanitarian action and foreign affairs, should be encouraged to receive periodic national and international monitoring and compliance reports on children and armed conflict, for their own review and action. In the context of their international responsibility, Governments should promote the children and armed conflict agenda within multilateral organizations and in their bilateral cooperation.

2. Security Council

110. Because of its primary responsibility for peace and security, the Security Council has a special responsibility for ensuring the protection and well-being of children exposed to armed conflict. With respect to ensuring compliance with children and armed conflict protection norms, the Security Council is by far the most important international "destination for action".

Actions to be undertaken by the Security Council

111. The Secretary-General's annual report to the Security Council serves as the primary vehicle for transmitting monitoring and compliance information. The annual debate by the Security Council on children affected by armed conflict is intended to serve as a systematic review of the state of monitoring and compliance on the ground.

112. It is recommended that the Council review monitoring and compliance whenever a specific country situation is under consideration and ensure that children and armed conflict concerns are incorporated into ensuing resolutions.

113. Whenever the Council conducts fact-finding field missions, it may wish to include a checklist of specific children and armed conflict monitoring and compliance concerns in its briefs and discussions.

114. In order to promote children and armed conflict protection, mainstreaming and monitoring, the Council should consider the inclusion of child protection in the mandates of all peacekeeping missions.

115. Monitoring and compliance reports received by the Security Council serve as triggers for action. In order to end impunity, it is critical that grave and persistent violations lead to targeted and concrete measures of response by the Council. The Council may wish to consider targeted and concrete measures where insufficient or no progress has been made by parties listed in my reports, in accordance with its resolutions 1379 (2001), 1460 (2003) and 1539 (2004). Such measures could include the imposition of travel restrictions on leaders, their exclusion from any governance structures and amnesty provisions, a ban on the export or supply of small arms, a ban on military assistance, restrictions on the flow of financial resources to offending parties and a ban on illicit trade in natural resources.

3. General Assembly

116. The annual regular session of the General Assembly provides an important opportunity to review the monitoring and compliance reports and take appropriate action. The annual report of the Secretary-General to the Security Council on children and armed conflict, which records grave abuses and lists parties responsible for the violations, is being submitted simultaneously to the General Assembly to enable it to take appropriate action within the context of its own mandate.

Actions to be undertaken by the General Assembly

117. Under its agenda item "Promotion and protection of the rights of children", the General Assembly may wish to devote a dedicated resolution to children and armed conflict monitoring and compliance. Such a resolution might include calls for compliance, condemnation of grave violations and specific recommendations on corrective measures to be undertaken by offending parties.

118. When considering human rights in country-specific situations, relevant monitoring and compliance information on children and armed conflict issues could be incorporated into the discussion and ensuing resolutions.

4. Economic and Social Council

119. The annual consideration of the report and resolutions of the Commission on Human Rights provides the Economic and Social Council with the opportunity to review actions taken at the level of the Commission.

Action to be undertaken by the Economic and Social Council

120. The Economic and Social Council could periodically devote its high-level segment to a review of the subject of children and armed conflict, focusing particularly on the issue of monitoring and reporting.

5. International Criminal Court

121. The establishment of the International Criminal Court is important because of both its deterrence effect and the prospect of prosecution for war crimes against children.

Actions to be undertaken by the International Criminal Court

122. Concrete steps should be taken to ensure the earliest possible prosecution of persons responsible for war crimes against children. Some initiatives are already under way in this direction. The Office of the Special Representative of the Secretary-General for Children and Armed Conflict, the Task Force on Children and Armed Conflict and the task forces on monitoring and reporting can contribute to this by providing the International Criminal Court Prosecutor with relevant information at their disposal.

123. The deterrence role of the International Criminal Court needs to be actively promoted through proactive advocacy and public information activities by United Nations and NGO actors at all levels.

6. United Nations human rights regime

124. The cluster of mechanisms that comprise the United Nations human rights regime could be more systematically channelled to promote effective children and armed conflict monitoring and compliance. Their roles are crucial in this context.

Actions to be undertaken by the Commission on Human Rights

125. The Commission on Human Rights receives the annual children and armed conflict monitoring and compliance report. This could constitute the basis for annual review and action through a resolution dedicated to this purpose, at the regular session of the Commission.

126. When considering country-specific human rights situations in countries affected by armed conflict, the Commission could incorporate specific children and armed conflict concerns into its discussion and resulting resolutions.

Actions to be undertaken by the Office of the United Nations High Commissioner for Human Rights

127. UNHCHR could undertake public advocacy, fact-finding and, where appropriate, independent investigation of specific episodes of atrocities and other grave violations against children. Children and armed conflict concerns could be systematically integrated into the tasks and capacities of human rights field officers.

Actions to be undertaken by the Committee on the Rights of the Child

128. The Committee on the Rights of the Child could incorporate monitoring and accountability on children and armed conflict issues in its scheduled reviews of country reports. The Office of the Special Representative of the Secretary-General for Children and Armed Conflict currently provides children and armed conflict-specific supplementary information ahead of country reviews; this practice could be expanded in collaboration with the Task Force on Children and Armed Conflict and task forces on monitoring and reporting.

Actions to be undertaken by Special Rapporteurs of the Commission on Human Rights

129. There are special rapporteurs and independent experts focusing on specific situations, including several conflict-affected countries. When the special rapporteurs prepare their reports, children and armed conflict-specific sections, focusing particularly on the six grave violations identified in section III.C above, could be incorporated.

130. It is also important that the special rapporteurs invoke the international instruments and norms listed in section III.D above as a basis for proactive advocacy for children and armed conflict concerns and draw on information in reports issued by treaty supervision bodies of the United Nations system.

131. There are special rapporteurs who cover thematic issues that are pertinent to children and armed conflict concerns, particularly the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Special Rapporteur on violence against women, its causes and consequences; the Special Rapporteur on trafficking

in persons, especially women and children; and the Representative of the Secretary-General on internally displaced persons.

Action to be undertaken by the Subcommission on the Promotion and Protection of Human Rights

132. A standing working group on children and armed conflict could be constituted under the Subcommission on the Promotion and Protection of Human Rights to undertake a regular review of children and armed conflict monitoring and compliance in specific situations, and to make recommendations for appropriate action by the Subcommission based on information provided by the Office of the Special Representative of the Secretary-General for Children and Armed Conflict and the Task Force on Children and Armed Conflict.

7. Regional and subregional organizations

133. In the course of the last several years, several regional organizations, working with Office of the Special Representative of the Secretary-General for Children and Armed Conflict, have incorporated the protection of war-affected children into their agendas and programmes. The Security Council has urged and encouraged this development. Regional organizations can make important contributions to a concerted monitoring and compliance regime on children and armed conflict. The Office of the Special Representative will continue to transmit the annual monitoring reports to regional organizations, for review and action within their mandates and jurisdictions.

Actions to be undertaken by regional organizations

134. Regional organizations should incorporate and mainstream the protection of children affected by armed conflict in their advocacy, policies and programmes. They should develop peer review and monitoring and reporting mechanisms, while also including monitoring activities, child protection staff and training in their peace operations and field presence. In addition, they should undertake subregional initiatives to end activities harmful to children in times of conflict, in particular cross-border recruitment and abduction of children, illicit movement of small arms and illicit trade in natural resources.

135. The European Union and ECOWAS, for example, have already taken important initiatives in some of these areas. Other regional organizations, such as the African Union, the Organization of American States, the League of Arab States, the Organization for Security and Cooperation in Europe and the Association of South-East Asian Nations, could develop similar initiatives, working in cooperation with the Office of the Special Representative of the Secretary-General for Children and Armed Conflict.

8. Role of non-governmental and civil society organizations

136. NGOs and civil society organizations, both local and international, have crucial roles to play in developing and strengthening the children and armed conflict monitoring and reporting regime. A major movement has developed among them on the children and armed conflict agenda. For the specific purpose of promoting monitoring and reporting, three categories of actors are especially important: international advocacy networks, such as the Coalition to Stop the Use of Child

Soldiers; international NGOs devoted to conducting operational programmes on the ground, such as World Vision and Save the Children; and the growing movement of local NGOs and civil society groups devoted to advocacy, protection and rehabilitation at the front line. Specifically, the roles of NGOs and civil society organizations are important in the following areas:

(a) International NGO networks, such as the Coalition to Stop the Use of Child Soldiers, can contribute by continuing to develop and deepen monitoring projects in their areas of specialization. The Watchlist on Children and Armed Conflict, on the other hand, covers monitoring and reporting on all aspects of children and armed conflict; its activities could also be developed and strengthened;

(b) As well as issuing their own independent monitoring reports, these NGOs can provide important inputs into the United Nations monitoring and compliance reports;

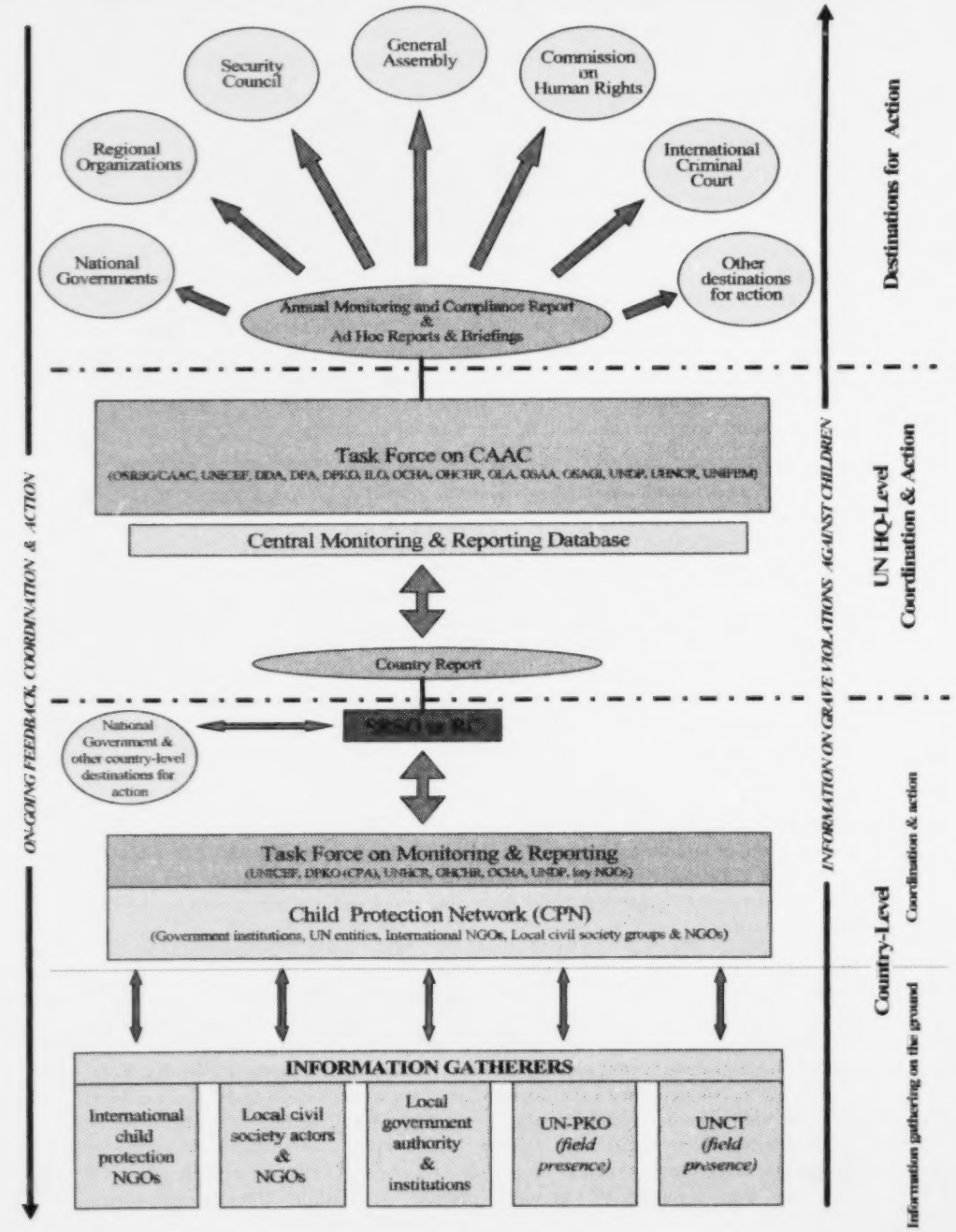
(c) NGOs should continue to provide briefings to the Security Council under the Arria formula;

(d) International NGOs which focus mainly on protection and rehabilitation activities on the ground are well placed to make important contributions through their active participation in child protection networks and task forces on monitoring and reporting;

(e) Local NGOs and civil society organizations, such as women's associations, teachers' and parents' associations, chiefs and elders, communities of faith, and youth groups, play an indispensable role in the gathering and confirmation of information. Equally important is their active participation in child protection networks and task forces on monitoring and reporting, as part of their activities for advocacy, protection and rehabilitation at the front line.

137. Along with their contribution to monitoring and reporting activities as outlined above, all categories of NGOs and civil society organizations should continue to play their critical advocacy roles, drawing on information provided through the monitoring and reporting mechanism.

Flow chart for monitoring and reporting on children and armed conflict


Security Council
General Assembly
Commission on Human Rights
Regional Organizations
International Criminal Court
National Governments
Other destinations for action
Annual Monitoring and Compliance Report & Ad Hoc Reports & Briefings
Destinations for Action
Task Force on CAAC
(OSRSG/CAAC, UNICEF, DDA, DPA, DPKO, ILO, OCHA, OHCHR, OLA, OSAA, OSAGI, UNDP, UNHCR, UNIFEM)
Central Monitoring & Reporting Database
UN HQ-Level Coordination & Action
Country Report
National Government & other country-level destinations for action
SRSG/ or RC
ON-GOING FEEDBACK, COORDINATION & ACTION
INFORMATION ON GRAVE VIOLATIONS AGAINST CHILDREN
Task Force on Monitoring & Reporting
(UNICEF, DPKO (CPA), UNHCR, OHCHR, OCHA, UNDP, key NGOs)
Child Protection Network (CPN)
(Government institutions, UN entities, International NGOs, Local civil society groups & NGOs)
Country-Level
Coordination & action
INFORMATION GATHERERS
International child protection NGOs
Local civil society actors & NGOs
Local government authority & institutions
UN-PKO (field presence)
UNCT (field presence)
Information gathering on the ground

IV. Incorporation of best practices in disarmament, demobilization and reintegration programmes for children

138. The present section of the report is in response to Security Council resolution 1539 (2004), paragraph 15 (c), requesting an update on the incorporation of best practices for disarmament, demobilization and reintegration programmes.

139. During the reporting period, a number of disarmament, demobilization and reintegration programmes for children were initiated or continued in both conflict and post-conflict situations. While there is no single effective model for such programmes, important lessons have emerged, as reflected in my 2003 report. Since then, these lessons were applied to disarmament, demobilization and reintegration exercises in Afghanistan, Burundi, Colombia, the Democratic Republic of the Congo, Liberia and Sierra Leone to varying degrees. A United Nations inter-agency Working Group on Disarmament, Demobilization and Reintegration, which is currently developing policies, guidelines and procedures for the planning, implementation and monitoring of disarmament, demobilization and reintegration programmes, is incorporating into its initiatives best practices and lessons learned relating to disarmament, demobilization and reintegration programmes for children. As part of the initiative "Towards a United Nations approach to disarmament, demobilization and reintegration in a peacekeeping environment", a module on children and disarmament, demobilization and reintegration is being finalized.

140. *The demobilization of children should be sought at all times, and separate and child-specific programmes should be organized for demobilized children.* In Burundi, approximately 2,260 children were demobilized from armed forces and groups ahead of adult combatants, through the Child Soldiers National Structure. However, many children formerly associated with armed groups were cantoned in assembly areas where they waited for over eight months to return to their families; this delay was due to the lack of commitment of some leaders, lengthy negotiations over global demobilization and inadequate disarmament, demobilization and reintegration resources. In Liberia, child-specific programmes, including literacy classes, psychosocial care and recreational activities, were organized by NGOs through interim care centres, where demobilized child soldiers could stay for up to three months. Peacekeeping missions and United Nations agencies should seek to benefit from local expertise and NGO child protection capacity in developing and implementing such comprehensive child-specific disarmament, demobilization and reintegration programmes. Issues that require further attention and consideration include the duration of hosting and types of activities undertaken in care centres, appropriate ways to approach child drug abuse and options for assisting children without families.

141. *Children associated with fighting forces who have crossed into a country of asylum should be accorded a legal status, protection and assistance that promotes their rehabilitation and reintegration.* Refugee status should be accorded to children who flee armed conflict due to their well-founded fear of being subjected to forced military recruitment, sexual slavery or other serious child rights violations. From 2002 to 2004, 168 disarmed Liberian child soldiers were granted prima facie refugee status in Sierra Leone and were placed in camps for Liberian refugees; children whose families were traced were voluntarily repatriated. This process incorporated child protection elements such as proper identification of children immediately upon entry to the country of asylum; prompt separation from commanders;

accommodation in a civilian environment conducive to rehabilitation (instead of together with adult foreign combatants in internment camps); sensitization of refugee communities to facilitate community-based integration; access to education, counselling and other psychosocial programmes; and community-based interim care, tracing, family reunification and voluntary repatriation in safety and dignity.

142. *The eligibility criteria should be sufficiently broad and based upon the Cape Town Principles for children associated with armed forces or groups.* Children should not be required to hand in weapons in order to participate in disarmament, demobilization and reintegration programmes, and there should be no cash remuneration for weapons relinquished. Unfortunately, even where disarmament, demobilization and reintegration planning has incorporated these widely accepted principles, as in the case of Liberia, their application has been uneven. Some children associated with armed forces or groups in Liberia were actually prevented from entering demobilization sites because they were not armed. The promise of a cash allowance upon presentation of a weapon has also proved problematic in Liberia; reports indicate that commanders have posed as guardians to former child soldiers, or have taken arms away from them and given the weapons to their own children, in order to obtain the cash payments. Commanders have even sold weapons to children so they could enter the disarmament, demobilization and reintegration programme. Alternatives to cash allowances should be employed in order to prevent these practices and should contribute directly to the education and sustainable livelihood of former child soldiers.

143. *Children who escape, are released or are captured from any armed force or group should not be considered or treated as enemy combatants.* In accord with this principle, and in implementation of article 6 of the Optional Protocol on the Involvement of Children in Armed Conflict, a group of children associated with a Colombian armed group and arrested by the Venezuelan authorities were immediately offered protection and reintegration assistance. The Government of Colombia established legal and administrative procedures ensuring that children who leave armed groups are handed over to the Colombian Institute for Family Welfare national disarmament, demobilization and reintegration programme. Unfortunately, this principle has not been observed in a number of conflict situations where children were detained for their participation in armed groups and, subsequently, sometimes used for intelligence-gathering purposes.

144. *Reintegration activities should adopt an integrated community approach, and interventions should avoid singling out former child soldiers.* Both of these practices were employed in Afghanistan: demobilized child soldiers were provided the same services as other war-affected children through the Afghanistan New Beginnings Programme, and communities played a central role in demobilization efforts by participating in the screening of eligible child participants. In Liberia, however, there was increased evidence that the payment of cash allowances to demobilized children adversely affected their acceptance and reintegration into the community.

145. *Special attention must be given to the specific needs of girls.* Despite the establishment of separate facilities for boys and girls and gender-specific programmes in certain countries, such as the Democratic Republic of the Congo, girls in the majority of disarmament, demobilization and reintegration situations remain at a disadvantage in access to demobilization and in reintegration into their

communities. In many conflict situations — such as in Liberia, Sierra Leone and the Democratic Republic of the Congo — combatants have been reluctant to release girls to transit care facilities, holding them captive as "wives". Girls who have become pregnant in these circumstances have encountered stigmatization upon returning to their communities. As has been implemented in the Democratic Republic of the Congo, disarmament, demobilization and reintegration programmes should include special attention to girl victims of sexual exploitation and girl heads of households.

146. *In order to support community reintegration activities for children formerly associated with armed forces or groups, long-term donor support is required.* The Government of Sierra Leone requested continuing assistance for the reintegration of demobilized children through the Community Education Investment Programme, which provided educational materials to schools whose enrolment included demobilized children and children returning from neighbouring countries. This support facilitated the reintegration of over 3,000 former child combatants and returnee children.

V. Measures to control illicit subregional and cross-border activities harmful to children

147. The present section of the report is in response to Security Council resolution 1539 (2004), paragraph 3, requesting information on measures to control illicit subregional and cross-border activities that are harmful to children.

148. Illicit cross-border activities, intrinsically related in terms of their root causes and dynamics, have deleterious consequences for children and peace and security. The cross-border abduction and recruitment of children, the trafficking of small arms and light weapons and the illicit exploitation of natural resources all serve to intensify the vulnerability of children in conflict situations, as well as in transitional and post-conflict situations. Such activities expose children to further atrocities and abuse and undermine efforts at establishing peace, security, legitimate economic activities and the rule of law. The cross-border abduction of children for forced recruitment and training by armed forces and groups, and other forms of exploitation, such as domestic, manual and sexual labour, and the trafficking of small arms and light weapons strongly correlate with the use of child soldiers. The documented link between illegal resource exploitation by armed groups and the procurement of small arms and light weapons with the proceeds is of special concern, as this is a form of double jeopardy for children. The illicit exploitation of natural resources is often accompanied by forced labour and displacement of children and, at the same time, diverts resources from services and programmes for children.

149. The following proposed measures are intended to promote international and regional cooperation in efforts to prevent and control illicit cross-border activities harmful to children. In particular, measures to enforce international standards and plans of action are required to ensure the rights, protection and well-being of war-affected children in conflict, transitional and post-conflict situations.

General recommendations

150. Member States and regional organizations should make a commitment to combat illicit cross-border activities harmful to children through the development of bilateral, multilateral and regional arrangements, including initiatives for the development of preventive and early warning systems, and establish coordination and monitoring mechanisms for strengthening the gathering, analysis and dissemination of information among law enforcement, border and customs control agencies and other relevant actors.

151. Member States should ratify and implement the provisions of existing international conventions relevant to the aforementioned cross-border activities, such as the United Nations Convention against Transnational Organized Crime (2003) and its supplementary Protocols, as well as ILO Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999) and ILO Convention 29 concerning Forced or Compulsory Labour (1930).

152. Member States should criminalize activities associated with the aforementioned illicit cross-border activities and cooperate in the investigation and prosecution of those responsible for wrongful behaviour.

153. Mechanisms for cross-border cooperation among peacekeeping missions — such as those developed by the United Nations Mission in Sierra Leone, UNMIL and the United Nations Operation in Côte d'Ivoire in West Africa and MONUC and ONUB in the Great Lakes region of Africa — should be implemented in order to enhance a subregional approach in carrying out the respective mandates of these missions in the area of child protection. Coordination between child protection agencies and peacekeeping missions should also be ensured.

154. The Security Council should consider targeted measures against parties to armed conflict and complicit actors in neighbouring countries whose actions contribute to illicit cross-border activities harmful to children and to the consequent fuelling of conflict.

Recommendations relating to cross-border abduction and recruitment

155. Child protection units within regional organizations, such as the one in ECOWAS, should develop and implement comprehensive strategies that address the particular cross-border dynamics of the abduction and recruitment of children. These units should facilitate exchange of information, joint training and projects among national child protection agencies and those working on gender equality. Regional organizations should establish a database of individuals and groups suspected of engaging in the trafficking of child soldiers, to be shared with the relevant national and international judicial authorities.

156. Child victims of cross-border abduction, recruitment and trafficking should be accorded appropriate protection and assistance in the host country, including identification, safe release, legal status (which may include refugee status), interim community-based care, access to education, counselling, family tracing, medical and legal assistance and facilitation of voluntary repatriation or other appropriate

durable solutions. Subregional inter-agency cooperation should be enhanced, particularly on cross-border tracing, reunification and repatriation.

157. Governments, NGOs and United Nations agencies should provide adequate protection, support and services to children who have been victims of abduction, recruitment, trafficking or sexual exploitation. Local, national and international civil society organizations, including the private sector, religious leaders and women's groups, should be engaged throughout this process. Support should be provided for local grass-roots participation and media efforts in raising public awareness about the protection of affected children.

158. Regional plans of action to combat the cross-border abduction and recruitment of children should include comprehensive, criminal justice-related responses, such as awareness-raising and training for law enforcement, guidelines on the investigation and prosecution of cases and protection and support for victims and witnesses.

Recommendations relating to the trafficking of small arms and light weapons

159. Member States should fully implement the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

160. National commissions on small arms and light weapons should incorporate in their national plans of action public-awareness campaigns on the protection of children in armed conflict.

161. Member States should more vigorously enforce arms embargoes and consider coercive measures against those who deliberately violate them.

162. Member States should establish necessary legislative or other measures to ensure effective control over the export, import, transit and retransfer of small arms and light weapons, including the use of authenticated end-user certificates.

163. The work of United Nations agencies that undertake data collection on the impact of small arms and light weapons on children in armed conflict, transitional and post-conflict situations should be supported.

Recommendations relating to the illicit exploitation of natural resources

164. Multinational enterprises and international investors should take into account the impact on child rights in their operations in zones of conflict where illicit exploitation of natural resources takes place, with a view to preventing and mitigating violations, and abide by appropriate and uniform ethical guidelines.

165. Appropriate verification and certification schemes for natural resources — such as the Kimberley Process Certification Scheme — should be monitored by impartial external observers and strengthened in order to foster transparency and accountability in the natural resource sectors. Coercive measures should be directed

at companies and individuals involved in these activities, such as the imposition of travel bans and freezing of personal assets.

VI. Annexed lists

166. The present report contains two annexes. Annex I lists parties that recruit or use children in situations of armed conflict on the agenda of the Security Council, bearing in mind other violations and abuses committed against children. Annex II lists parties that recruit or use children either in situations of armed conflict not on the agenda of the Security Council or in other situations of concern, also bearing in mind other violations and abuses committed against children.

167. The other grave violations and abuses taken into account are the killing or maiming of children; rape and other grave sexual violence against children; attacks on schools and hospitals; and abduction.

168. It should be noted that the annexes do not list countries as such. The purpose of the annexed lists is to identify particular parties to conflict which are responsible for specific grave violations against children. In this respect, the names of countries are referred to only in order to indicate the locations or situations where offending parties are committing the violations in question.

Annex I

List of parties that recruit or use children in situations of armed conflict on the agenda of the Security Council, bearing in mind other violations and abuses committed against children

Parties in Burundi

1. Conseil national pour la défense de la démocratie (CNDD) of Leonard Nyangoma
2. Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie (CNDD-FDD) of Pierre Nkurunziza
3. Parti de libération du peuple hutu-Forces nationales de libération (PALIPEHUTU-FNL)-Agathon Rwasa

   This party has also been responsible for the killing and maiming of children and attacks on schools and hospitals in the reporting period.

Parties in Côte d'Ivoire

1. Forces armées des forces nouvelles (FAFN)
   (a) Mouvement pour la paix et la justice (MPJ)
   (b) Mouvement populaire ivoirien pour le Grand Ouest (MPIGO)
   (c) Mouvement patriotique de Côte d'Ivoire (MPCI)
2. LIMA *force supplétive*

Parties in the Democratic Republic of the Congo

1. Forces armées de la République démocratique du Congo (FARDC)
2. Laurent Nkunda and Jules Mutebutsi, dissident elements of FARDC

   This party has also been responsible for rape and other grave sexual violence against children and attacks on schools and hospitals in the reporting period.

3. Force démocratique de libération du Rwanda (FDLR)

   This party has also been responsible for killing, maiming and committing rape and other grave sexual violence against children in the reporting period.

4. Forces armées populaires congolaises (FAPC)

   This party has also been responsible for the killing and maiming of children in the reporting period.

5. Front nationaliste et integrationaliste (FNI)

   This party has also been responsible for the killing and maiming of children in the reporting period.

6. Mai-Mai in the Kivus, Maniema and Katanga

   This party has also been responsible for the killing and maiming of children in the reporting period.

7. Mudundu-40

8. Parti pour l'unité et la sauvegarde du Congo (PUSIC)

9. Union des patriotes congolais (UPC)-Thomas Lubanga and Floribert Kisembo factions

Parties in Somalia

1. Lower Shabelle Administration[a]

2. Juba Valley Alliance[a]

3. Rahanwein Resistance Army (RRA/SNSC) of Mohamed Ibrahim Habsade[a]

4. United Somali Congress/Somali Salvation Alliance (USC/SSA)-faction of Muse Sudi Yalahow)[a]

5. Middle Shabelle Administration[b]

6. Puntland Administration[b]

7. Rahanwein Resistance Army (RRA/SRRC) of Mohamed Nir "Sharti gadud"[b]

8. Somali Patriotic Movement/Somali Reconciliation and Restoration Council (SPM/SRRC)[b]

9. United Somali Congress (USC) of Mohamed Kanyare Afrah[c]

10. United Somali Congress/Somali Salvation Alliance (USC/SSA) of Omar Mohamed[c]

Parties in the Sudan

1. Janjaweed

   This party has also been responsible for killing, maiming, abducting and committing rape and other grave sexual violence against children in the reporting period.

2. Justice and Equality Movement (JEM)

3. South Sudan Unity Movement (SSUM)

4. Sudan Liberation Movement/Army (SLM/A)

5. Sudan People's Liberation Movement/Army (SPLM/A)

[a] Alliance member factions of the Somali National Salvation Council (SNSC).
[b] Alliance member factions of the Somali Reconciliation and Restoration Council (SRRC).
[c] Alliance member factions of the Group 8.

Annex II

List of parties that recruit or use children either in situations of armed conflict not on the agenda of the Security Council or in other situations of concern, bearing in mind other violations and abuses committed against children

Parties in Colombia

1. Autodefensas Unidas de Colombia (AUC)
   - (a) Autodefensas Unidas del Sur del Casanare (AUSC)
   - (b) Autodefensas Campesinas de Córdoba y Urabá (ACCU)
   - (c) Autodefensas de Magdalena Medio (ACMM)
   - (d) Autodefensas del Meta (AM)
   - (e) Autodefensas Campesinas del Sur del Cesar (ACSC)
   - (f) Autodefensas del Puerto Boyaca (APB)
   - (g) Autodefensas de Cundinamarca (AC)
   - (h) Autodefensas Unidas de Colombia — Bloque Centauros
   - (i) Autodefensas Unidas de Colombia — Bloque Norte
   - (j) Autodefensas Unidas de Colombia — Bloque Mineros
   - (k) Autodefensas Unidas de Colombia — Bloque Pacífico
2. Ejército de Liberación Nacional (ELN)
3. Fuerzas Armadas Revolucionarias de Colombia (FARC)

Parties in Myanmar

1. Karen National Liberation Army (KNLA)[a]
2. Karenni Army (KA)[b]
3. Tatmadaw Kyi (Government army)

Parties in Nepal

Communist Party of Nepal-Maoist (CPN-Maoist)

This party has also been responsible for killing, maiming and abducting children in the reporting period.

Parties in the Philippines

1. Moro Islamic Liberation Front (MILF)
2. New People's Army (NPA)

[a] KNLA is the military wing of the Karen National Union (KNU), named in the 2003 report.
[b] KA is the correct name for the "Karenni National Liberation Army (KNLA)", named in the 2003 report.

Parties in Sri Lanka

1. Liberation Tigers of Tamil Eelam (LTTE)

   This party has also been responsible for the abduction of children in the reporting period.

Parties in Uganda

1. Local Defence Units (LDUs)
2. Lord's Resistance Army (LRA)

   This party has also been responsible for killing, maiming, abducting and committing rape and other grave sexual violence against children in the reporting period.

3. Uganda People's Defence Force (UPDF)

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Agenda item 29
Question of Cyprus

Security Council
Sixtieth year

Letter dated 7 January 2005 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to my letter dated 16 December 2004, addressed to you (A/59/627-S/2004/980), I have the honour to draw your attention to new violations of the flight information region (FIR) of Nicosia and the national airspace of the Republic of Cyprus by military aircraft of the Turkish Air Force, recorded on 16, 18 through 22 and 29 December 2004, on 12, 15, 22, 25, 26, 28, 29 and 31 January 2005 and on 1 February 2005, as follows:

On 16 December 2004, one (1) Cougar Turkish military aircraft entered the FIR of Nicosia, violating the international air traffic regulations and the national airspace of Nicosia, flying over the occupied area of Mesaoria, before landing at the illegal airport of Tymbou, and then later at the illegal airport of Krini, where it remained.

On 18 and 19 December 2004, four (4) Turkish military aircraft of unknown type, carried out a total of four (4) violations of international air traffic regulations and the national airspace of the Republic of Cyprus, as follows:

(a) One (1) Turkish military aircraft of unknown type took off from the illegal airport of Krini, violating the national airspace of the Republic of Cyprus, flying over the occupied area of Apostolos Andreas in a search and rescue mission.

(b) The other three (3) Turkish military aircraft of unknown type took off from the illegal airport of Krini, violating the national airspace of the Republic of Cyprus, flying over the occupied areas of Morfou, Mesaoria and Karpasia, before landing at the same airport.

On 20 December 2004, two (2) F-4 Turkish military aircraft coming in one formation, one (1) B-200 and one (1) Cougar, entered the FIR of Nicosia, carrying out a total of three (3) violations of international air traffic regulations and two (2) violations of the national airspace of Cyprus, as follows:

(a) The formation of the two (2) F-4 Turkish military aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating international air traffic regulations, before exiting in the opposite direction.

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(b) The B-200 Turkish military aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Tymbou.

(c) The Cougar Turkish military aircraft took off from the illegal airport of Tymbou, violating the national airspace of the Republic of Cyprus, flying over the occupied area of Morfou and over the Kokkina pocket, before landing at the same airport.

On 20 and 21 December 2004, one (1) B-200 Turkish military aircraft and two (2) F-4 Turkish military aircraft coming in one formation, carried out a total of two (2) violations of international air traffic regulations and one (1) violation of the national airspace of the Republic of Cyprus, as follows:

(a) The B-200 Turkish military aircraft took off from the illegal airport of Tymbou, violating the national airspace of the Republic of Cyprus, before exiting towards the FIR of Ankara.

(b) The formation of F-4 Turkish military aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating the national airspace of the Republic of Cyprus, before exiting in the opposite direction.

On 21 and 22 December 2004, two (2) F-4 Turkish military aircraft coming in one formation and one (1) C-130 Turkish military aircraft, carried out a total of three (3) violations of international air traffic regulations and two (2) violations of the national airspace of the Republic of Cyprus, as follows:

(a) The formation of F-4 Turkish military aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating international air traffic regulations, before exiting in the opposite direction.

(b) The C-130 Turkish military aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Tymbou, from where it departed on the same day towards the FIR of Ankara.

On 29 December 2004, one (1) C-130 Turkish military aircraft entered the FIR of Nicosia, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Tymbou, from where it departed on the same day towards the FIR of Ankara.

On 12 January 2005, one (1) C-130 Turkish military aircraft and one (1) CN-235 Turkish military aircraft, coming from the FIR of Ankara entered the FIR of Nicosia, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Tymbou, from where they departed on the same day in the opposite direction.

On 15 January 2005, one (1) C-130 Turkish military aircraft entered the FIR of Nicosia, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the

illegal airport of Tymbou, from where it departed on the same day towards the FIR of Ankara.

On 22 January 2005, one (1) Cougar Turkish military aircraft entered the FIR of Nicosia, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Krini, where it remained.

On 25 January 2005, two (2) Turkish military aircraft of unknown type, carried out a total of three (3) violations of international air traffic regulations and the national airspace of the Republic of Cyprus, as follows:

(a) The first Turkish military aircraft of unknown type coming from the FIR of Ankara entered the FIR of Nicosia, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Tymbou, from where it departed on the same day towards the FIR of Ankara.

(b) The second Turkish military aircraft of unknown type took off from the illegal airport of Krini, violating the national airspace of the Republic of Cyprus, flying over the occupied areas of Mesaoria and Ammochostos, before landing at the same airport.

On 26 January 2005, a total of six (6) F-16 Turkish military aircraft coming in two (2) formations (1X4, 1X2), one (1) C-160 Turkish military aircraft and one (1) Turkish military aircraft of unknown type, entered the FIR of Nicosia, carrying out a total of five (5) violations of international air traffic regulations and three (3) violations of the national airspace of the Republic of Cyprus, as follows:

(a) The first formation (1X4) of F-16 Turkish military aircraft coming from a westerly direction entered the FIR of Nicosia, violating international air traffic regulations, before exiting towards the FIR of Ankara.

(b) The second formation (1X2) of F-16 Turkish military aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating international air traffic regulations, before exiting towards the FIR of Ankara.

(c) The C-160 Turkish military aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Tymbou, from where it departed on the same day towards the FIR of Ankara.

On 28 January 2005, four (4) F-16 Turkish military aircraft coming in one formation, and two (2) Turkish military aircraft of unknown type entered the FIR of Nicosia, carrying out a total of four (4) violations of international air traffic regulations and three (3) violations of the national airspace of the Republic of Cyprus, as follows:

(a) The formation of F-16 Turkish military aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating international air traffic regulations, before exiting in a westerly direction.

(b) The first Turkish military aircraft of unknown type coming from the FIR of Ankara entered the FIR of Nicosia, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of

Mesaoria, before landing at the illegal airport of Tymbou, from where it departed on the same day in the opposite direction.

(c) The second Turkish military aircraft of unknown type took off from the occupied area of Kyrenia, violating the national airspace of the Republic of Cyprus, flying over the occupied areas of Morfou, Cape Kormakitis and Kyrenia, before landing at the illegal airport of Krini.

On 29 January 2005, two (2) Cougar Turkish military aircraft took off from the illegal airports of Krini and Tymbou respectively, carrying out a total of two (2) violations of international air traffic regulations and the national airspace of the Republic of Cyprus, as follows:

(a) The first Cougar Turkish military aircraft took off from the illegal airport of Krini, violating the national airspace of the Republic of Cyprus, flying over the occupied area of Morfou and the Kokkina pocket, before landing at the same airport.

(b) The second Cougar Turkish military aircraft took off from the illegal airport of Krini, violating the national airspace of the Republic of Cyprus, before landing at the illegal airport of Tymbou, from where it departed on the same day towards the FIR of Ankara.

On 31 January 2005, two (2) F-16 Turkish military aircraft coming in one formation, and one (1) Cougar Turkish military aircraft entered the FIR of Nicosia, carrying out two (2) violations of international air traffic regulations and one (1) violation of the national airspace of the Republic of Cyprus, as follows:

(a) The formation of the two (2) F-16 Turkish military aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating international air traffic regulations, before departing in the opposite direction.

(b) The Cougar Turkish military aircraft took off from the illegal airport of Krini, violating the national airspace of the Republic of Cyprus, flying over the occupied area of Morfou, before landing at the Kokkina pocket, from where it took off and landed at the illegal airport of Krini.

On 1 February 2005, eight (8) Turkish military aircraft [two (2) F-16 and two (2) F-4] coming in two formations from the FIR of Ankara entered the FIR of Nicosia, carrying out two (2) violations of international air traffic regulations, before departing in the opposite direction.

On behalf of the Government of the Republic of Cyprus, I strongly protest the above violations and call for their immediate cessation. The Government of Turkey should respect international law and air traffic regulations and refrain from actions which seriously endanger international civil aviation. The Government of Turkey should also heed the call of the international community and respect the sovereignty, independence and territorial integrity of the Republic of Cyprus and contribute to the creation of the required conditions for the achievement of progress to the long-standing political problem in Cyprus.

In the wake of the decision of the European Council on 17 December 2004 to open accession negotiations with Turkey in the autumn of this year, we earnestly believed that we could expect a more constructive and less arrogant and threatening behaviour by Turkey, a country which aspires to be a member of the European

Union. It is high time that Turkey heeds the message of times and starts behaving in accordance with accepted principles and standards.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 29, and of the Security Council.

(*Signed*) Andreas D. **Mavroyiannis**

United Nations A/59/697

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Fifty-ninth session
Agenda item 35
Culture of peace

Letter dated 9 February 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Togo to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a memorandum on the handling of the situation resulting from the sudden death of President Gnassingbe Eyadema.

I should be grateful if you would have this letter and its annex issued as a document of the fifty-ninth session of the General Assembly under agenda item 35.

(*Signed*) Kodjo **Menan**
Chargé d'affaires a.i.

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Annex to the letter dated 9 February 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Togo to the United Nations addressed to the Secretary-General

Memorandum on the handling of the situation resulting from the sudden death of President Eyadema

Lomé, 8 February 2005

On Saturday 5 February 2005, the President of the Republic, Gnassingbe Eyadema, who was being taken out of the country for emergency treatment, passed away.

When the Prime Minister announced the sad news at around 7 p.m. GMT, a feeling of general panic swept through the population for this sudden death left a great void.

The announcement came as such a shock that the streets quickly emptied and the leaders of the institutions of the Republic decided to hold a meeting to see what could be done. They soon realized that there was nothing they could do given that Fambaré Ouattara Natchaba, President of the National Assembly, was not in Togo. The Constitution made no provision for such a scenario.

Against this background of widespread alarm and in an effort to preserve the unity of the armed forces and security forces and thereby preserve national stability and security, senior military officials held consultations to consider how best to safeguard civil order — the late President's most precious legacy — in a region already in turmoil.

At the same time, the leaders of the Rassemblement du Peuple Togolais, the ruling party, undertook consultations to determine what to do now that the Head of State was dead and the President of the National Assembly was away.

The one thing on which everyone agreed as a result of these consultations had to do with the qualifications and personality required of whoever would be called on, in accordance with article 65 of the Constitution, to fill in as President of the Republic.

It was also stressed that that person must be someone who could get people to unite and be conciliatory.

The prolonged absence of the President of the National Assembly, even though he had been specifically invited to return and even though all the other members of his delegation had already come back, had heightened the feelings of uncertainty and insecurity.

For several years already, the question of who would succeed President Eyadema had been raised at both the national and international level and concerns had been expressed, given the political situation in Togo.

Faure Gnassingbe's name had been mentioned several times as someone who would be capable of taking on the duties of President of the Republic at some point.

It was in that context that the armed forces and security forces, considering themselves to be the guarantors of peace, unity and territorial integrity, proposed the

name of Faure Gnassingbe to fill the vacuum left at the top. Meanwhile, the Prime Minister undertook to refer the matter to the Constitutional Court so that the latter could certify the vacancy.

For his part, the first Vice-President of the National Assembly swiftly called a special meeting so that members of Parliament could consider the situation.

After a brief debate, Parliament decided unanimously to relieve its absent President of his duties.

Faure Gnassingbe, who had been elected a member of the National Assembly in the legislative elections of October 2002 before being appointed Minister, resigned from the Government and resumed his seat; he was then elected President of the National Assembly and thus temporarily assumed the duties of President of the Republic.

In view of all that had to be done and the difficulties stemming from the political climate in Togo, members of Parliament felt that the two months provided for under the Constitution for organizing Presidential elections was clearly not enough and that it was unrealistic to think that that could be done given the particular situation in Togo. They therefore amended the provisions of article 65 of the Constitution so as to give the President of the Republic enough time to deal with the many challenges facing the country.

As the President himself announced at the time of his election, the Government plans to complete the process of democratization and openness started by the late President; it will make sure that legislative and local elections are held and will then turn, as soon as possible, to organizing the Presidential elections.

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Report of the Secretary-General on the activities of the Office of Internal Oversight Services

Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Report of the Office of Internal Oversight Services on the audit of mission subsistence allowance policies and procedures

Summary

Pursuant to General Assembly resolution 58/258, the Office of Internal Oversight Services (OIOS) conducted a further audit on the question of mission subsistence allowance (MSA) rates. Mission subsistence allowance is a daily allowance paid to United Nations international civilian staff, military observers and civilian police in special peacekeeping missions to cover subsistence costs. MSA payments continue to constitute approximately 15 to 20 per cent of overall peacekeeping costs.

The Office of Internal Oversight Services reviewed MSA rates in several of the largest peacekeeping missions and followed up on recommendations contained in the Secretary-General's 2001 report on MSA rates (A/56/648). In the report it was noted, inter alia, that the views of OIOS and those of the Office of Human Resources Management (OHRM) and the Department of Peacekeeping Operations (DPKO) differed markedly concerning the most appropriate relationship between MSA and daily subsistence allowance (DSA) rates: OIOS maintained that MSA rates should always be lower than DSA rates, while OHRM argued that the conditions of life in many duty stations were sufficiently arduous to warrant higher MSA rates.

These differing views persisted beyond 2001, during the preparatory work for the present audit. During extended discussions with OIOS, OHRM expressed strong resistance to lowering MSA rates automatically when DSA rates dropped.

After these robust representations from OHRM, there seemed little practical point for OIOS to persist in making recommendations that would continue to be

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resisted strongly by departments. However, there did appear to be a way out of this impasse. OIOS noted that in 2002, the Special Committee on Peacekeeping Operations had urged *the Secretariat to ensure that the allowance structure is reviewed, taking into account the adverse conditions of life and work affecting personnel in United Nations peacekeeping operations, and a fair service package is developed, in an open and transparent manner and that timely information is given to Member States. The Committee requests the Secretary-General to report to it on the action taken in this regard.* OIOS noted that the comprehensive review requested by the Special Committee on Peacekeeping Operations had not been undertaken.

Accordingly, OIOS recommended that the most constructive way of resolving its differences of opinion with OHRM and DPKO regarding MSA would be for the comprehensive review requested by the Special Committee on Peacekeeping Operations to be undertaken in a spirit of openness and transparency. OIOS further recommended that the review look into establishing a two-component MSA structure, with one component for subsistence (food, accommodation and incidentals) and the second component to compensate for the particular living conditions in duty stations. OHRM and DPKO have accepted this recommendation.

OIOS has also recommended that the review establish the method for working out the MSA rates based on a two-component structure and the timing of their adoption in the field.

Contents

		Paragraphs	*Page*
I.	Introduction	1–6	4
II.	Findings	7–23	5
	A. Level of mission subsistence allowance	8–16	5
	B. Timing of the adoption of new mission subsistence allowance rates	17–20	6
	C. Different rates in the same mission area	21–23	7
III.	Conclusions and recommendations	24–30	7

Abbreviations

MINURSO	United Nations Mission for the Referendum in Western Sahara
MONUC	United Nations Organization Mission in the Democratic Republic of the Congo
UNAMSIL	United Nations Mission in Sierra Leone
UNIKOM	United Nations Iraq-Kuwait Observation Mission
UNMEE	United Nations Mission in Ethiopia and Eritrea
UNMIBH	United Nations Mission in Bosnia and Herzegovina
UNMIK	United Nations Interim Administration Mission in Kosovo
UNMISET	United Nations Mission of Support in East Timor
UNOMIG	United Nations Observer Mission in Georgia
UNTOP	United Nations Tajikistan Office of Peacebuilding

I. Introduction

1. The present audit was conducted in response to General Assembly resolution 58/258 of 23 December 2004, in which the General Assembly requested the Secretary-General to submit an updated report on mission subsistence allowance (MSA) at the second part of its resumed fifty-eighth session. The initial findings and recommendations of the Office of Internal Oversight Services (OIOS) were discussed with the Office of Human Resources Management (OHRM) and the Department of Peacekeeping Operations (DPKO).

2. Under Staff Rule 103.21, the Secretary-General may designate certain assignments as special mission assignments during which MSA may be authorized. OHRM is responsible for monitoring staff conditions of service. For field missions, OHRM is also responsible for setting, monitoring and updating MSA rates.

3. According to the relevant administrative instruction, ST/AI/1997/6, MSA is a daily allowance payable for living expenses incurred by staff members in the field in connection with their temporary assignment or appointment to a special mission. MSA is payable to all international civilian staff, civilian police and military observers assigned to a special mission. MSA rates are determined on the basis of the cost of long-term accommodation, food and miscellaneous expenses at the duty station.

4. When a special mission is established, an OHRM compensation specialist conducts a field survey to gather data on living expenses that will serve as the basis for determining the initial MSA rates applicable to mission personnel. Upon completion of the survey, a report, with related recommendations, is submitted to the Assistant Secretary-General for Human Resources Management for review and promulgation of MSA rates on behalf of the Secretary-General. Subsequently, MSA rates are to be reviewed on a regular basis to verify that the various elements and costs taken into account in arriving at the initial rates are still valid. If necessary, OHRM conducts questionnaire surveys or field visits in the event the cost of living rises or falls.

5. In a previous OIOS report, entitled "Audit of the establishment and management of mission subsistence allowance rates" (A/56/648), a number of cases were noted where, contrary to the assumption of OIOS, MSA rates were higher than the daily subsistence allowance (DSA) rates established by the International Civil Service Commission (ICSC) for the same areas. From 2001 through 2004, OHRM surveyed several missions and adjusted the MSA rates. Although some rates increased, the subsequent reviews by OHRM resulted in decreased rates and achieved substantial savings in the missions' budgets.[1]

6. The present audit was intended as a follow-up to previous OIOS audits of MSA. The audit objectives were to: assess the reasonableness of MSA rates in effect at the largest special peacekeeping missions; review how effectively previous recommendations were being implemented; and identify ways in which to resolve the differing views of OIOS and those of OHRM and DPKO regarding certain aspects of MSA. The review also assessed the monitoring capacity of OHRM concerning the establishment and review of MSA rates, and covered OHRM and DPKO offices responsible for managing the establishment, monitoring and application of MSA during the period since the last review in 2001. The comments of OHRM and DPKO are shown in italics.

II. Findings

7. The objectives of the present audit were to determine if the MSA rates in particular missions were lower than, or did not exceed, the DSA rate established for the same location by the ICSC and to review the MSA monitoring processes of OHRM.

A. Level of mission subsistence allowance

8. OIOS adopted the principle that, since MSA rates were intended to cover longer-term expenses as opposed to more expensive shorter-term expenses, MSA rates should always be lower than DSA rates. However, this principle was disputed at the outset by OHRM, which noted that *DSA and MSA serve different purposes. While DSA is designed to cover expenditures incurred during short-term official travel under normal circumstances, MSA is intended to offset expenditures incurred over longer periods of assignment at a special mission under varying circumstances of mission service. OHRM noted that there is no solid justification for using a single comparison with DSA rates to determine MSA rates, or to trigger adjustments in MSA rates ... there should not be an automatic adjustment of MSA rates based on changes in DSA rates.*

9. Additionally, OHRM correctly pointed out that *a mechanism did not exist which would compensate staff for such factors as security and safety issues, poor medical conditions and restrictions on movement found in missions. MSA remained the only allowance exclusively payable to staff serving in such missions.*

10. To establish the "miscellaneous component" of the current MSA rate, OHRM uses the ICSC benchmark of 15 per cent of the sum of long-term accommodation and food costs in cases where surveys indicated costs were below 15 per cent. However, in missions where questionnaires or survey results indicate miscellaneous expenses higher than the 15 per cent calculation, the actual figure is used.

11. OIOS had suggested that this practice artificially inflates MSA rates and should be discontinued. OHRM disagreed, and responded that *in establishing the incidental portion of MSA, it takes into account the prevailing conditions of life and work in the particular mission area. As shown in data provided by OHRM, the miscellaneous portions may in fact be above or below 15 per cent and may vary from mission to mission. The recommendation of OIOS to use a benchmark of 15 per cent of the sum of long-term accommodation and food expenses in establishing the miscellaneous component of MSA would not capture the actual and verifiable living expenses of field personnel.*

12. OIOS selected seven missions for review. These are MINURSO, MONUC, UNAMSIL, UNOMIG, UNMEE, UNMIK and UNMISET.

13. Based on the principle that MSA rates should always be lower than DSA rates, OIOS found that in three missions (MINURSO, UNMEE and UNMISET), MSA rates were higher than the DSA rates applicable in those mission areas.

14. Concerning MINURSO, OIOS pointed out to OHRM that it should lower the MSA rates from $50 to $14 (15 per cent of the $93 DSA). OHRM did not agree, stating that *its field visit to MINURSO noted that the poor conditions under which staff live and work, including difficulties in accommodation, such as physical*

isolation, few sources of entertainment, severe climate conditions, lack of privacy due to shared accommodation and poor quality and lack of variety of food served. OHRM had therefore taken into account the additional expense incurred by staff as a result of these factors in setting the MSA rate at $50 per day as determined by the on-site review.

15. At UNMEE, the MSA rate was $80 for both Eritrea and Ethiopia. However, DSA rates, as established by ICSC, were $69 for Eritrea and $57 for Ethiopia. OIOS considered that the MSA rates should be reduced to these respective amounts. OHRM and DPKO did not agree, noting that in their view, it was not appropriate to have two different rates, and pointed out that *the operational demands of UNMEE, which operates in two countries, and where staff are required to move around within the mission areas, would be better met if a single MSA rate were established mission-wide instead of having two separate rates.*

16. OHRM and DPKO noted that *in Addis Ababa, while the after 60-day DSA rates were lower than the current MSA rate of $80, most UNMEE staff chose to reside in the Hilton or Sheraton Hotels and the MSA rate would have to be set at at least $131 if the approach suggested in the audit were used. Similarly, in Asmara, the MSA rate would also have to be adjusted to that of the current DSA rate applicable to the Intercontinental Hotel ($137) where most UNMEE personnel reside in Eritrea.* They also reiterated that *there is no solid justification for using a single comparison with DSA rates to determine MSA rates or to trigger adjustments in MSA rates.*

B. Timing of the adoption of new mission subsistence allowance rates

17. The review by OIOS of OHRM reports concerning its cost of living surveys showed that whenever an MSA rate was to be decreased, OHRM gave the mission three months' notice before implementing the new rate. This applied particularly to MINURSO, MONUC and UNIKOM. However, when an MSA rate was to be increased, the new rate was implemented in the month following the issuance of the report. OHRM pointed out that *this refers to the special circumstances OHRM faced back in 2001/2002 when OHRM had announced drastically lowered MSA rates which were never implemented as a result of the complaints received by DPKO. Ms. Salim made the specific decision to give three months' notice in those duty stations which were most affected. You will recall that in 2002, OHRM undertook many on-site reviews (MINURSO, UNIKOM, MONUC, UNAMSIL, UNMIBH, UNTOP). The results of these reviews were subsequently implemented.*

18. OHRM responded that it applies a consistent and transparent methodology when using questionnaires and field surveys to ensure that MSA rates properly capture actual and verifiable living expenses. With the exception of the cases referred to above, OHRM reported that it had followed a consistent policy of making revised MSA rates effective from the first of the month following approval of MSA reports.

19. OIOS also noted that OHRM had not conducted the monthly comparison of MSA and DSA rates as recommended in the 2001 audit report of OIOS. OHRM responded that it *would agree, beginning January 2004, as an experimental measure, to undertake a comparison of movement of DSA vis-à-vis MSA rates*

on a monthly basis, on the understanding that there should not be an automatic adjustment of MSA rates based on changes in DSA rates.

20. OHRM further stated that it uses the results of MSA survey questionnaires to establish and adjust MSA rates. These results are then plotted and analysed using Microsoft Excel spreadsheets. This is a labour-intensive process. At MONUC, for example, 462 staff members participated in the survey. OHRM confirmed that, for large missions, on average, it could take up to three months to complete the questionnaire process, particularly in those missions where staff are scattered throughout the mission area. OHRM agreed that technological improvements would be beneficial. In the view of OIOS, the use of specialized software to conduct and analyse these reviews could significantly shorten the process and release staff resources for other tasks.

C. Different rates in the same mission area

21. The OHRM survey questionnaires did not cover locations other than mission headquarters, as the majority of mission personnel were usually located in the main city area. Over the years, a uniform MSA rate had been established throughout the mission area for ease of administration. However, with improved control by mission administration over internal and external movements of staff, OIOS sees no reason why different MSA rates, reflective of different costs of living at different locations in the mission area, should not be instituted. In the opinion of OIOS, OHRM should survey headquarters and other locations within the mission area individually, when appropriate, to establish multiple MSA rates which would more accurately reflect the variances in the costs of living.

22. OHRM noted that the operational requirements of a mission usually dictated that staff be rotated within the mission area. In the context of the overall management of a mission and in the interest of administrative simplicity, it has been found appropriate by OHRM and DPKO to establish a uniform MSA rate.

23. DPKO responded that *the suggestion to have different MSA rates for different locations within the mission area would be administratively cumbersome and labour-intensive, given the constant duty travel of personnel within the mission area. DPKO was of the opinion that any financial savings made would be offset by the expenses related to monitoring, calculating and administering the payments of different rates for different locations within the mission area.*

III. Conclusions and recommendations

24. It appears clear that OHRM and DPKO do not accept the principle that MSA rates should always be lower than DSA rates in all cases. In the view of OIOS, a practical way forward would be to implement the recommendation of the Special Committee on Peacekeeping Operations calling for "the Secretariat to ensure that the allowance structure is reviewed, taking into account the adverse conditions of life and work affecting personnel in United Nations peacekeeping operations, and a fair service package is developed, in an open and transparent manner and that timely information is given to Member States. The Committee requests the Secretary-General to report to it on the action taken in this regard". Therefore, the principal

recommendation of OIOS in the present report is that the review recommended by the Committee on Peacekeeping Operations be conducted without delay.

Recommendation 1*

The Office of Human Resources Management and the Department of Peacekeeping Operations, assisted by independent experts, should conduct a review of the allowance structure for peacekeeping personnel, with particular reference to MSA (AP2004/600/13/01).

25. Based on discussions with OHRM and a review of written responses to the draft audit, it became clear that the conditions of life in the field were of major concern to OHRM and that to ensure transparency this element should be separated from the other aspects of food, accommodation and incidentals. OIOS therefore considers that the review recommended above should develop an MSA structure with two tiers or components: one for the costs of food, accommodation and incidentals; and the other to compensate for difficult living conditions (e.g. isolation, stress and lack of amenities).

Recommendation 2

The review of MSA should cover the conditions of service for staff serving in peacekeeping missions. The objective of this review should be to establish a "conditions of service" component of MSA to reflect the difficult living conditions encountered in the various field missions, in addition to the component for the costs of food, accommodation and incidentals (AP2004/600/13/02).

26. OHRM accepted recommendations 1 and 2. OIOS looks forward to the outcome of this review and stands ready to assist in ensuring that allowances for field staff are transparent and equitable.

27. The following recommendations should be examined in connection with the review proposed in recommendations 1 and 2 above.

Recommendation 3

The Office of Human Resources Management should perform a comparative analysis of MSA and DSA rates on a monthly basis. Differences between rates should trigger the adjustment of MSA rates in the concerned missions (AP2004/600/13/03).

28. *The Office of Human Resources Management agreed to undertake a monthly comparison of the two rates commencing in 2004. DPKO pointed out that, "By agreeing to this we understand that OHRM is undertaking this for monitoring purposes and not to establish a link between MSA and DSA."*

Recommendation 4

The Office of Human Resources Management should apply a consistent policy in promulgating revised MSA rates by making new rates effective from the first day of the month following issuance of its final MSA report (AP2004/600/13/04).

* The symbols in parentheses refer to an internal code used by OIOS for recording recommendations.

29. *The Office of Human Resources Management advised that the time between the submission of its report and implementation of new MSA rates was in most cases immediately following the month of report completion. DPKO suggested that missions have three months' notification to allow staff to make necessary adjustments in spending in cases of lower MSA rates and to put higher rates into effect immediately.* OIOS is of the view that unnecessary expenditures related to administrative arrangements in cases where MSA is reduced should be avoided. Significant decreases in MSA will be unlikely in the future owing to more regular monitoring and more frequent adjustment of rates.

Recommendation 5

The Office of Human Resources Management should develop or acquire specialized software that will facilitate the electronic distribution, completion and analysis of survey questionnaires (AP2004/600/13/05).

30. *The Office of Human Resources Management agreed that technological improvements would be beneficial.*

(*Signed*) Dileep **Nair**
Under-Secretary-General for Internal Oversight Services

Notes

[1] OIOS reports detailed projected annual savings related to MSA (see A/56/381 and A/57/451).

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Sixtieth year

Letter dated 9 January 2005 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I wish to draw your attention to some disturbing statements made by General Yasar Buyukkanit, Commander of the land forces of the Turkish army, during his illegal visit last January 2005 to the occupied areas of the Republic of Cyprus. As reported on Turkish NTV television on 25 January, General Buyukkanit, after meeting with the Turkish Cypriot leader Rauf Denktash, said "Not even a single soldier will leave from here [Cyprus] before a final and lasting agreement is achieved." This provocative statement was seconded by General Ilker Basboug, the Turkish Deputy Chief of the General Staff, during a press conference in Ankara on 26 January, who said that Buyukkanit's statement reflects the views of the General Staff and of the Turkish Government and added that the withdrawal of troops from Cyprus is not on Turkey's agenda. Furthermore, the Turkish Foreign Ministry spokesman, Namik Tan, asked during his news conference on 26 January to comment on that statement, stated, "had the Greek Cypriot side approached the Annan plan positively, the current security problems would have been solved."

It should be stressed from the outset that the root cause of the Cyprus problem is the continuing Turkish occupation of the northern part of Cyprus. It is due to the occupation troops that Cyprus remains the last divided country in Europe and massive human rights violations of all Cypriots continue to this day, despite the calls of United Nations resolutions and the European Court decisions for their termination. The withdrawal of the Turkish occupation troops from Cyprus is a long-standing demand of the United Nations Security Council and General Assembly, as well as of the European and Council of Europe Parliaments, as reflected in their numerous resolutions and decisions. This demand is unconditional and not tied to a political settlement.

On 20 July 1974, the day of the Turkish invasion of Cyprus, the Security Council adopted resolution 353 (1974) which demanded "an immediate end to foreign military intervention in the Republic of Cyprus" (para. 3) and requested "the withdrawal without delay from the Republic of Cyprus of foreign military personnel present otherwise than under the authority of international agreements" (para. 4).

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Resolution 550 (1984) expressed concern about "secessionist acts in the occupied part of the Republic of Cyprus" (sixth preambular para.) that further consolidate the division of the island. Furthermore, General Assembly resolution 37/253 of 13 May 1983 deplored the fact that "part of the territory of the Republic of Cyprus is still occupied by foreign forces" (eighth preambular para.) and considered "the withdrawal of all occupation forces from the Republic of Cyprus as an essential basis for a speedy and mutually acceptable solution of the problem of Cyprus" (para. 7). Similarly, a European Parliament resolution of 21 January 1993 and subsequent resolutions call upon the Government of Turkey to withdraw its occupation troops from the Republic of Cyprus in accordance with the relevant United Nations resolutions. Turkey's wrongful act against Cyprus violates the principle of the inadmissibility of occupation and acquisition of territories by force (see General Assembly resolution 37/253). This is an indisputable fact that cannot change, until it is corrected by the side that flouts the rules and principles of international law.

The above-mentioned statements by the Turkish Government prove beyond a doubt that in reality there is no change in Turkish policy on Cyprus. On the contrary, after the 24 April 2004 referenda, certain Turkish acts indicate an even more arrogant behaviour on the part of Ankara and an effort by the Turkish Government to create new faits accomplis by intensifying the colonization policy and construction on illegally usurped Greek Cypriot properties in the occupied north. Using as a springboard the Annan plan, which in any case would only partially restore the legal right of displaced persons to return and regain their properties, while it would allow the settlers to continue their stay on such properties, Turkey's subordinate local administration embarked on a frenzy of unprecedented construction and "property sale" in the occupied north and on an unlawful transfer of a new wave of settlers from Turkey under the pretext that they were "construction workers". It is not surprising that in August 2004 Ahmet Uzun, the so-called Finance Minister of the occupying regime, stated that the United Nations plan provided an incentive to build on Greek Cypriot property in the occupied part, because persons investing in such property could have had priority over legitimate Greek Cypriot refugee title-holders in the matter of ownership. According to the 1964 Land Registry record, approximately 82 per cent of the privately owned land in the occupied areas was owned by Greek Cypriots, while the Turkish Cypriots owned approximately 16.7 per cent. These figures were still valid in 1974.

With regard to settlers, it has been reported that an additional 40,000 Turkish nationals claiming to be "seasonal workers" have been brought to the occupied northern part in 2004 alone. Many of the new arrivals reside in abandoned or derelict homes and in buildings that are currently under construction. All this confirms Turkish Cypriot press reports that Turkey aims to increase its population in Cyprus to 400,000.

In this respect, we wish to draw your attention to a most relevant finding on the issue by Rapporteur Jaakko Laakso of the Council of Europe in his report "Colonization by Turkish settlers of the occupied part of Cyprus", dated 2 May 2003. He stated in paragraph 42 that change in the demographic structure of Cyprus already under way creates a real threat that in the long term the considerable increase in the numbers of the Turkish-speaking population might be used as a justification of the inordinate claims of the Turkish side regarding territorial arrangements and political powers in a final settlement of the Cyprus problem.

It should also be noted that since 1974 Turkey has been pursuing a deliberate policy of changing the demographic character of the occupied areas of the Republic of Cyprus by a systematic transfer of large parts of its population from Anatolia, Turkey, to the occupied areas, allocating to them properties and land belonging to Greek Cypriot refugees who in 1974 fled the area as a result of the invasion and have not returned since then due to the continuing occupation. As a consequence, the transfer of settlers from Turkey to Cyprus has caused the gradual outflow of indigenous Turkish Cypriots, who in 1974, totalled about 118,000, or about 18 per cent of Cyprus's population. Today, Turkish settlers are estimated at more than 160,000 and they outnumber by far the Turkish Cypriots, whose numbers are estimated at 87,600. Were the more than 35,000 Turkish troops stationed on the island added to this number, the number of non-Turkish Cypriots would reach 195,000 persons, or almost 70 per cent of the inhabitants of the occupied north.

Following the 17 December decision of the European Council to open accession negotiations with Turkey, it is expected that the Turkish Government will:

(a) Immediately introduce in the occupied areas a moratorium on all construction activities (possibly excepting the ordinary maintenance of already finished structures and/or the demolition of irredeemably hazardous structures) not consented to by the lawful property owners. Furthermore, and in relation to the point just made, the Republic of Cyprus demands that the Republic of Turkey immediately assent to the conduct as soon as possible, in the occupied areas, of an internationally supervised census, which will comprehensively profile, inter alia, the current usage of immovable properties, which in 1974 belonged

(i) To persons who were dispossessed of the said properties because of the events of 1963 and 1964, and whose dispossession continued after the events of 1974;

(ii) To persons who were dispossessed of the said properties because of the events of 1974;

(b) Immediately introduce a moratorium on the influx into the occupied areas of non-Cypriot citizens ("settlers"), immediately begin to facilitate the repatriation of settlers already in Cyprus and immediately assent to the conduct as soon as possible, in the occupied areas, of an internationally supervised census, which will comprehensively profile, inter alia, the nationality of persons residing there.

The accession of the Republic of Cyprus to the European Union on 1 May 2004 provides a new and exceptional context for peace and reconciliation. The Government of Cyprus has amply demonstrated its determination and good will to bring Turkish Cypriots on board and give them the opportunity to enjoy the benefits of the European Union. It was the Cyprus Government, on 26 April 2004, at the Meeting of the Council of the European Union, that tabled sound proposals for economic assistance for the Turkish Cypriot community. The Cyprus Government has worked in good faith for the adoption of subsequent conclusions of the Council aimed at facilitating the reunification of Cyprus by encouraging Turkish Cypriot economic development, with particular emphasis on the economic integration of the island and on improving contacts between the two communities and with the European Union. The regulation on financial assistance of 259 million euros for the Turkish Cypriots, based on proposals by the Cyprus Government, is intended to

encourage the Turkish Cypriot community to see that its future rests in a united Cyprus within the European Union.

It should be recalled that the Government of Cyprus has been implementing since last year a package of measures for the benefit of the Turkish Cypriots, so that they can enjoy, to the maximum extent possible and within the framework of the European Union acquis and international law, all benefits emanating from Cyprus's membership in the European Union. In addition, further measures were adopted in the fields of demining, military disengagement and the opening of additional crossing points along the ceasefire lines, so as to enhance confidence-building and cooperation between Greek Cypriots and Turkish Cypriots, thus facilitating the goal of the reunification of the island and its people. Additionally, on 4 February the Cyprus Government and the European Commission reached an agreement of great importance on the implementation of the Green Line regulation which extends intra-island trade and exports of Turkish Cypriot products to the European Union, through the legal ports and airports of the Republic.

It is unfortunate that, for political and not economic purposes, the regulations on trade and on financial assistance are not yet in effect, as the Turkish Cypriot leadership and the Turkish Government, with the support of certain other countries, insist on opening the ports and airports in the occupied areas. Regrettably, the Turkish Cypriot leadership, by raising obstacles to the implementation of both Government and European Union measures towards the Turkish Cypriots, is sacrificing the well-being of its own community for purely political gains.

The Cyprus Government reiterates its commitment to assist in the economic advancement of the Turkish Cypriots, but at the same time underlines that any measures taken in this direction should not serve, in any way, as a pretext for promoting the secessionist aims of the Turkish leadership. Attempts to upgrade the "status" of the secessionist entity created by force in the north of Cyprus, in violation of international law and condemned by Security Council resolutions 541 (1983) and 550 (1984), are totally unacceptable and should be abandoned.

On 17 December, the European Union decided to give Turkey a date for the start of accession negotiations with the European Union. This historic decision for Turkey would never have been made possible without the consent of the Republic of Cyprus, which during the negotiations demonstrated immense good will, as acknowledged by all. It is hoped that the Turkish Government, in view of its European aspirations, will reciprocate the good will shown by the Government of Cyprus and will soon start working towards meeting its obligations emanating from its European candidacy. It is also hoped that Turkey will soon come to realize that its present policy of promoting a separate political entity for the areas of the Republic of Cyprus under its military control is neither helpful nor a positive contribution to the efforts for the resumption of the talks for the solution of the Cyprus problem. Moreover, this separatist policy of the Government of Turkey is impeding the efforts of the Cyprus Government to accelerate the economic progress of the Turkish Cypriot community.

We call upon the Government of Turkey to adopt a similar constructive approach to the Cyprus problem and at long last abandon efforts that undermine the sovereignty of the Republic of Cyprus. The Turkish side needs to move beyond rhetoric aimed at diverting attention away from its obligations and responsibilities towards Cyprus and the European Union. Turkey must demonstrate genuine good

will by cooperating in a positive spirit in order to create the conditions that would render the resumption of the talks possible, taking into consideration the new European dimension of the Cyprus problem. The Cyprus Government is committed to do its utmost to create conditions that would allow the resumption of the United Nations Secretary-General's good offices mission, in order to freely reach a mutual agreement for a comprehensive settlement of the Cyprus problem without any artificial time constraints.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 29, and of the Security Council.

(*Signed*) Andreas D. **Mavroyiannis**

United Nations A/59/700

General Assembly

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Fifty-ninth session
Agenda item 35
Culture of peace

Letter dated 10 February 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Togo to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit the text of the address to the Togolese nation made on 9 February 2005 by Mr. Faure Gnassingbe, President of the Togolese Republic (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly at its fifty-ninth session.

(*Signed*) Kodjo **Menan**
Chargé d'affaires a.i.

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Annex to the letter dated 10 February 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Togo to the United Nations addressed to the Secretary-General

Address to the nation by His Excellency Mr. Faure Gnassingbe, President of the Togolese Republic, Lomé, 9 February 2005

Citizens of Togo,

Our country has been struck by a tragedy, the loss of the Father of the Nation, Gnassingbe Eyadema.

His sudden demise has deeply saddened the people of Togo, who are still feeling intense pain at this cruel loss.

We are all aware of President Eyadema's tremendous achievements for the benefit of the country's people:

- The building of a united, prosperous nation which is respected at both the national and the international levels;
- Peace and security for every single citizen of Togo;
- The construction of a peaceful democracy in which everyone can feel respected and protected by the State;
- Harmonious development of the nation's economy;
- Economic independence through food self-sufficiency.

Today, as we remember his great achievements, we collect our thoughts and honour his memory. Let us pray that we will be worthy of his heritage.

At this difficult time, you have found appropriate words as you share our grief and express in various ways your tender compassion for the whole Gnassingbe family.

I am deeply touched by this kind demonstration of support, which has never failed us in the painful trials we have experienced recently. On my family's and my own behalf, I would like to express my deep gratitude.

In particular, I thank the Togolese armed forces and law enforcement agencies, and congratulate them for their courage and faithfulness and the order and discipline they have maintained throughout the country.

I am also grateful to the Prime Minister, the Government and the National Assembly, and to all the vital elements of the country, which have resolutely stood by the Gnassingbe family.

I am deeply grateful to the Economic Community of West African States (ECOWAS), which has kindly sent a delegation to present its sympathetic condolences to the people of Togo and the Gnassingbe family.

I also thank the foreign communities living in Togo, which have shared this time of grief with the country's people. As before, no effort will be spared to ensure their safety.

My dear compatriots,

Despite the depth of our grief, we must make an effort of will and look to the future with courage and serenity.

I have been entrusted with the highest responsibility, but I stand before you as one of you, and the national interest is my prime concern.

You are aware that I was appointed as a matter of urgency, following the sudden death of President Eyadema.

I thank all those who have put their trust in me and are supporting me.

I shall fully carry out the responsibilities conferred upon me by the Constitution to serve the people.

President Eyadema often expressed his profound wish for true reconciliation among all the sons and daughters of this nation.

His efforts to that end were beneficial in strengthening the country's unity and concord.

It is in that spirit that practical measures will be taken in the near future.

I have already decided to reduce by one quarter the sentences of those imprisoned for ordinary offences.

We also want those Togolese nationals who have chosen to live abroad to know that this is still their country and that they are free to return at any time.

With this same aim in mind, I have asked the Government to carry on the dialogue with the political opposition in a new spirit.

The 22 commitments entered into by Togo in Brussels on 14 April 2004 remain our basic guidelines.

We hope that the discussions which have begun to that effect, with a view to reviewing the electoral framework on a consensus basis, will lead to the holding in the near future of the free and transparent general election which the Father of the Nation had already called for, and which will reflect the real wishes of the population.

My door always remains open to all Togolese nationals, and particularly to the leaders of the political parties, so that together we can build our country.

My sole ambition is the happiness of the Togolese people, and I commit myself to swiftly undertake all the actions needed to promote participation by all in the management of public affairs.

I will continue efforts to promote human rights, good governance and the rule of law, which are reaffirmed in the democratic principles of the African Union and ECOWAS. I have no doubt that we will meet this challenge. I will take all possible steps to re-establish good relations between Togo and the international community, particularly the European Union and international financial institutions.

For the achievement of all these goals, I am above all counting upon our young people, who must show unity and solidarity and stand ready to make their invaluable contribution to this process of renewal.

I am also counting upon all the socio-professional and economic components of our society, particularly the Togolese armed forces and law enforcement agencies, who must continue to guarantee the peace and security necessary for the realization of our goals.

I ask them to maintain the unity and cohesion which are vital to their sacred mission of protecting our working population and territorial integrity.

I call upon all of you to be calm, to work hard and to be vigilant.

A new phase in the nation's life is beginning.

We must move forward together in peace and serenity.

Calmly and with determination, we shall ensure civil peace so that all Togolese people can freely go about their daily lives.

Citizens of Togo,

I count on your support so that our country can once again become the pride of humanity.

May God bless Togo.

United Nations A/59/701

General Assembly

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Fifty-ninth session
Agenda item 123
Administrative and budgetary aspects of the financing of United Nations peacekeeping operations

Implementation of the strategic deployment stocks, including the functioning of the existing mechanisms and the award of contracts for procurement

Report of the Secretary-General

Summary

In its resolution 58/297, the General Assembly requested the Secretary-General to report at its fifty-ninth session on the functioning of existing mechanisms of the strategic deployment stocks in the light of lessons learned from experience with mission start-ups.

In its previous resolution on the strategic deployment stocks, resolution 56/292, the Assembly had requested the Secretary-General to report on an annual basis on the award of contracts for procurement for the strategic deployment stocks to all Member States, in particular to developing, least developed and African countries and countries with economies in transition.

The present report summarizes the implementation of the strategic deployment stocks during the concurrent deployment of a number of missions, both in terms of composition and issuance to various missions as well as the award of contracts for the procurement of the stocks. The report also invites the General Assembly to consider a number of proposals based on the lessons learned from the mission start-ups that may help in enhancing the efficiencies and effectiveness of the stocks to support the rapid deployment of United Nations peacekeeping and peacebuilding operations, including regional peace operations mandated by the Security Council.

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Contents

		Paragraphs	Page
I.	Introduction	1–3	3
II.	Status of implementation	4–9	3
III.	Procurement report	10–12	5
IV.	Lessons learned	13–40	5
V.	Conclusion	41–43	10
VI.	Actions to be taken by the General Assembly	44	11

I. Introduction

1. The General Assembly has endorsed the concept of the strategic deployment stocks (SDS) presented in the report of the Secretary-General (A/56/870) and the related recommendations of the Advisory Committee on Administrative and Budgetary Questions (A/58/759/Add.9). The present report is submitted in compliance with Assembly resolutions 58/297, in which it requested the Secretary-General to report at its fifty-ninth session on the functioning of existing mechanisms of SDS, in the light of lessons learned from experiences with mission start-ups, and 56/292, in which it had requested the Secretary-General to report on an annual basis on the award of contracts for procurement for SDS to all Member States, in particular to developing, least developed and African countries and countries with economies in transition.

2. The first part of the report summarizes the implementation of SDS during the concurrent deployment of multiple peacekeeping missions in 2003 and 2004, in terms of its mechanism, composition and programming of the stocks to various missions. The second part reports on the distribution of award of contracts for procurement of SDS to developing, least developed and African countries and countries with economies in transition. The third part of the report focuses on the lessons learned from the deployment of SDS to support mission start-ups and the conclusions drawn therefrom.

3. The final part of the report requests the General Assembly to approve recommendations that would enhance the efficiency and effectiveness of SDS in supporting the rapid deployment of United Nations peacekeeping and peacebuilding operations, including regional peace operations mandated by the Security Council.

II. Status of implementation

4. The General Assembly, in its resolution 56/292, approved an amount of $141,546,000 for the establishment of the strategic deployment stock programme. In its resolution 57/315, the Assembly extended the validity period in respect of the resources approved in its resolution 56/292 for an additional period of 12 months, up to 30 June 2004.

5. The two-year project of establishing SDS has been effectively completed. The management of SDS at the Secretariat and the United Nations Logistics Base at Brindisi, Italy (UNLB) is fully functional; the procurement of SDS equipment and materials has been completed, and stocks have already been intensively utilized to support multiple mission start-ups and expansions.

6. At the end of the financial year 2003-2004, the approved funds for SDS were committed, with $9,033 remaining unspent. Table 1 reflects the total expenditure, including status of obligations. As at 30 June 2004, total unliquidated obligations amounted to $20,845,243. During the period from 1 July 2004 to 31 January 2005, 70 per cent of those obligations were disbursed, and the remaining obligations of $6.3 million will be disbursed by 30 June 2005.

Table 1
Total expenditure and unliquidated obligations of strategic deployment stocks by category
(Thousands of United States dollars)

Category	*Total expenditure 2002-2004*	*Obligations as of 30 June 2004*	*Obligations as of 31 January 2005*
Facilities and infrastructure	44 078	4 990	1 179
Ground transportation	43 981	8 424	3 848
Communications	30 992	2 367	592
Information technology[a]	13 371	1 381	585
Medical	2 579	2 347	61
Miscellaneous supplies and services	4 943	1 337	9
General temporary assistance	1 269	-	-
Special equipment	323	-	-
Total	**141 536**	**20 846**	**6 274**

[a] Includes $3.4 million spent on the Galileo inventory management system.

7. Outstanding contributions from Member States for SDS amounted to $13.6 million as at 31 December 2004. Of this amount, $13.5 million (99 per cent) related to the special assessed contribution of one Member State. This has resulted in temporary borrowing in order to settle SDS invoices.

8. As of 30 June 2004, savings on SDS funds amounting to $397,322 from the liquidation of prior period obligations had accumulated. Further savings will be realized from liquidation of obligations during the period from 1 July 2004 to 30 June 2005. It is proposed that the savings derived from the liquidation of prior period obligations and the $9,033 that remains unspent be utilized to cover any loss on currency exchange incurred on outstanding obligations. The residual balance will be used for the replenishment of the stocks.

9. Since the establishment of SDS in July 2002, $132 million worth of equipment has been issued to various operations, as shown in table 2 below.

Table 2
Total of strategic deployment stocks issued to operations from 1 July 2002 to 31 January 2005
(Thousands of United States dollars)

Receiving operation	*Amount*
United Nations Mission in Liberia (UNMIL)	36 396
United Nations Advance Mission in the Sudan (UNAMIS)	30 665
United Nations Operation in Côte d'Ivoire (UNOCI)/United Nations Mission in Côte d'Ivoire (MINUCI)	20 816
United Nations Operation in Burundi (ONUB)	15 790
United Nations Stabilization Mission in Haiti (MINUSTAH)	15 741

Receiving operation	*Amount*
United Nations Assistance Mission for (UNAMI)/Office of the Special Representative of the Secretary-General for Iraq (OSRSGI)	5 428
United Nations Organization Mission in the Democratic Republic of the Congo (MONUC)	3 053
United Nations Assistance Mission in Afghanistan (UNAMA)	1 407
12 other operations[a]	2 560
Total	**131 856**

[a] UNMOVIC, UNAMSIL, UNMIK, UNDOF, UNFICYP, United Nations Office of the Humanitarian Coordinator for Iraq, United Nations Mission in Angola, UNMOGIP, United Nations Office for West Africa, UNOGBIS, UNIFIL and UNIKOM.

III. Procurement report

10. The present report includes the procurement contracts for SDS awarded to all Member States, in particular to developing, least developed and African countries and countries with economies in transition.

11. During the period from 1 July 2002 to 30 June 2004, from the funding allocated for SDS purchase orders were awarded by Headquarters for a total of $135,298,275. The value of procurement conducted directly by UNLB locally against the stocks amounted to $3,975,143. In addition, expenses were incurred for freight forwarding and associated insurance services for a total amount of $1,366,074. The purchase orders were placed against systems contracts already in place for telecommunications and electronic data-processing equipment, generators, prefabricated buildings, engineering and transportation equipment. The total value of procurement conducted in support of SDS amounted to $140,639,492. Contracts valued at $12 million were awarded to companies from developing countries and countries with economies in transition. In addition, contracts for $1.9 million were awarded to companies from Africa.

12. It should be noted that the above figures for contract awards were recorded in United States dollars at the time of obligation of funds and that, therefore, the figures at the time of disbursement of funds do not necessarily correspond with the figures for awards owing to the fluctuation of currencies in the case of transactions that were not carried out in United States dollars.

IV. Lessons learned

Rapid and effective deployment capacities

13. The report of the Panel on United Nations Peace Operations of 21 August 2000 (A/55/305-S/2000/809), the "Brahimi Report", set the goal for the deployment of a traditional mission to within 30 days and for a complex peacekeeping operation to within 90 days after the adoption of a Security Council resolution. Recent mission start-up experiences have demonstrated that to achieve this mandated goal, mission planning and pre-mandate deployment activities would have to start at least 90 days

prior to adoption of a Security Council resolution. **Material readiness, including SDS, systems contracts, services contracts and inter-Mission transfers, has proved to be one of the key elements for developing such a rapid and effective deployment capability.**

14. In the last 18 months, SDS has supported the deployment of missions in Liberia, Côte d'Ivoire, Burundi, Haiti, Iraq and the Sudan, as well as the expansion of MONUC. While this accomplishment, carried out at a time when SDS was still in the process of development, has far exceeded the mandated goal of supporting one complex mission at a time it has also challenged the structure of the stocks and the mechanisms to rapidly deploy and reconstitute them. **The development of capacity and flexibility in the management of the composition of SDS to provide for sequential and/or concurrent support for multiple deployments is essential in the present uncertain global security environment.**

Strategic deployment stocks concept

15. The rapid and effective deployment of a complex mission within 90 days of a Security Council mandate is feasible, provided mission predeployment activities start 90 days prior to that date. The SDS concept is designed to support this mission deployment schedule. It does not, however, define the rate at which the Organization should be able to reconstitute and redeploy the stocks. This rate is affected by: notice and preparation time; reimbursement from missions to finance replenishment; procurement lead time; the size of order batch-sizes; stock levels of critical and long lead time items; and mechanisms of deployment and stock rotation. **Improvement in the rate of redeployment is important for the overall capacity, robustness and effectiveness of SDS.**

16. Prior to the introduction of rapid replenishment mechanisms, it was generally accepted that SDS could be partially redeployed only once a year. **By adjusting the composition and timely replenishment of SDS, the redeployment rate can be improved.**

17. Optimizing the rate of redeployment of SDS may introduce new material management challenges as the volume of operational activities increases. **This will require new approaches for material management within the Secretariat, UNLB and receiving missions.**

Composition of strategic deployment stocks

18. The composition of SDS has developed from the initial equipment list to accommodate changes in the operational environments of peacekeeping missions, especially the emerging security equipment requirements to meet the minimum operational security standards (MOSS). In addition, unforeseen requirements for the re-hatting of regional peacekeeping operations, disarmament and demobilization activities, public information and close-protection units have created new demands on strategic deployment stocks. Regular revisions of the composition of the stocks also address changes in technology, availability and markets for materials, sustainment capacities of troop- and police-contributing countries and changes in operational concepts. **The composition of SDS is not a fixed inventory, but rather a dynamic capability that will develop over time based on updated needs as identified in annual composition reviews.**

19. The SDS concept was based on modules, which were identified for 26 civilian, military, police and joint mission elements that are deployed in the early stages of mission start-up. SDS is not stored, deployed or reconstituted as modules because specific mission locational needs and operational requirements limit the utility of modules as a unit of deployment. **UNLB will store SDS materials in a manner appropriate to each of the many commodity types in order to support stock rotation and enable optimal utilization of the stocks for the deployment of missions.**

20. The deficiencies in contingent-owned equipment of a number of regional contingents re-hatted for UNMIL, ONUCI, ONUB and MINUSTAH added to the mission support challenges. This will imply the provision of SDS to supplement deficiencies of contingent-owned equipment. Issuance of SDS in such instances will be adjusted in the reimbursement for contingent-owned equipment. **Re-hatting regional troops will require more flexibility in the composition and utilization of SDS.**

21. The reconfiguration of the composition of SDS implies changes in type, quantity and replacement costs through: replenishment; transfer of equipment from United Nations reserve stocks; rotation of the stocks through existing missions and other United Nations entities; and procurement. **Management of SDS will require the flexible use of available methods to reconfigure SDS composition.**

22. Lead time for the procurement of SDS equipment varies from 30 to 360 days. For most equipment, lead times are under 120 days, whereas many specialized high-value items, like ambulances, fire-engines and material handling equipment have longer lead times of up to 360 days. **To accelerate the redeployment rate, the inventory levels of long lead time items will need to be increased and the stocking of short lead time items reduced appropriately.**

Replenishment of strategic deployment stocks

23. The General Assembly, in its resolution 56/292, approved a replenishment policy for SDS whereby mission budgets, when approved by the Assembly, would pay for the replacement of stocks drawn from SDS. Replenishment from approved mission budgets however, takes approximately 150 days, taking into account "M-60" days (60 days before the mandate), when a commitment authority is authorized by the Advisory Committee on Administrative and Budgetary Questions, and "M+90" days (90 days after the mandate), when a budget is approved by the Assembly. Delaying the replenishment of SDS by 150 days from the time a commitment authority is approved until the time a new peacekeeping mission budget is approved could diminish its ability to support other new missions. **The inclusion, therefore, of the provision for SDS replenishment to within the $50 million commitment authority approved by the Assembly in its resolution 49/233 A would mitigate the constraints resulting from the 150 day time lag. In addition, on an exceptional basis, if the need for the replenishment of SDS is over and above the $50 million for a new peacekeeping mission, the Secretary-General, with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, could be authorized to approve SDS requirements above $50 million.**

Management of strategic deployment stocks

24. Recent mission start-ups have demonstrated that the current practice whereby missions order SDS (the "pull" approach) is not the most efficient method of deployment. **There is a greater need for Headquarters to identify and prioritize the release of SDS to missions (a more "push", less "pull", approach).**

25. The Secretariat is finalizing an extensive set of policies and procedures defining the deployment concept for SDS and the roles, responsibilities and procedures for its planning, deployment, replenishment, rotation, accounting and support. **Upon approval, this set of policies and procedures will be promulgated.**

26. There is an increased need for better material planning for new peacekeeping missions. Tables of equipment are required as templates for each element of complex missions. These tables and the planning parameters of a new mission concept are being used as the basis of material resourcing plans. **Material resourcing planning has been initiated for missions in the Sudan and the Democratic Republic of the Congo. Timely material planning will be used to authorize dispatch of SDS.**

27. The implementation of the SDS programme introduced a new concept of a revolving inventory management, requiring the concurrent deployment, replenishment and adjustment of SDS holdings. The Galileo inventory management system tracks global peacekeeping assets. **However, revolving inventory management of SDS requires sophisticated automated material accounting systems to complement Galileo.**

28. If not fully utilized within planned time frames, there may be a need to rotate certain SDS items with a short shelf life. The Galileo inventory management system is a useful tool for planning assets rotation. **Most of such items will be rotated through existing missions.**

29. UNLB prepares SDS for shipment based on material release orders received from Headquarters. Once ready for shipment, equipment may still remain at UNLB for months awaiting shipping authorization from receiving missions. To remedy this constraint, and to facilitate the rapid deployment of SDS, the Secretariat and UNLB will dispatch stocks to new missions based on a deployment concept. **The Secretariat will establish a practice of issuing material release orders to UNLB with account codes obtained from the respective missions for charging shipment expenses. All release orders issued for shipments from SDS and United Nations reserve stocks will incorporate clear priority and realistic required delivery dates.**

30. The inventory of medical SDS is stored, maintained, shipped and replenished under a contract with a commercial distributor. This arrangement has proved to be efficient and effective in that all necessary medical equipment and supplies have arrived at missions on the requisite dates. Additionally, the initiative to integrate the inventory of medical SDS into a commercial contract has the inherent benefits of mission-wide standardization, life-cycle management and timely support to other missions. **Outsourcing of medical SDS has proven to be more efficient and cost-effective.**

31. The introduction of SDS has dramatically increased activity at UNLB. Efforts are under way to enlarge the facilities in Brindisi to the neighbouring site with an

base. UNLB has dedicated three warehouses for SDS and has markedly improved its material management capacity. As the volume and pace of operations has increased, new bottlenecks in receiving, inspecting, testing, integrating, consolidating and dispatching of materials have emerged. UNLB has proposed the regularization of 64 temporary staff with core functions to help meet the target of a single deployment of SDS in a year, as defined in their 2005-2006 budgetary proposals. **Increasing the rate at which stocks are delivered above current levels will require modern approaches to material management. Also, additional surge requirements that exceed UNLB capacity, including temporary hiring of additional contracted support, will need to be resourced using the budgets of the receiving missions if they exceed planned levels of UNLB support.**

12. Material management processes at UNLB need to accommodate the volume and the rate of SDS movements. For example, receipt and inspection activities at UNLB currently act as a constraint, with processing times of 4 to 6 weeks affecting the rapid reconfiguration and redeployment of SDS. Increasing the speed of delivery of the stocks will require a review of all material management processes and the organizational structure of UNLB. Receipt and inspection is an important function through which the status and identification of equipment can be ascertained by incorporating new assets and expendables into the United Nations inventory management system. The receipt and inspection function and related activities at UNLB improve the quality and operability of equipment received in the missions and provide a value-added service. If SDS arrives pre-inspected from UNLB in sealed containers or otherwise intact, the receipt and inspection processes in the missions could be greatly reduced. However, current methodology requires extensive manual handling, 100 per cent inspection and labelling of all assets and 30 to 100 per cent inspection of all expendables. **All aspects of material management require development at UNLB and at new mission start-ups in order to support rapid and frequent deployment of SDS.**

13. Since many stock items are received from the suppliers in bulk, they require reconditioning, assembling, testing, marking and repackaging prior to deployment. This includes the testing of vehicles and generators, unit packaging of furniture, assigning bar codes for items, intermediate packaging and the packing of shipping containers. New missions are less equipped to provide this service in a timely manner, and vendors have limited ability to modify equipment to peacekeeping specifications. **System integration is essential prior to the release of SDS from UNLB.**

14. At present, the tracking of SDS shipments is not fully automated. For example, shipments are bar coded for end-use inventory management purposes only. Shipments do not carry bar codes to facilitate dispatch and tracking during transit. The use of bar coding or equivalent automatic identification of shipments would improve dispatch, tracking and receipt of SDS at missions. The current automated material management systems at UNLB also require an upgrade. **There is a need to introduce contemporary logistics management practices and to adapt them to meet the material management requirements at UNLB and at missions.**

15. The infrastructure of ports and airports in the areas of operation of new missions are invariably damaged and have very limited cargo handling capacity. This, combined with the lack of availability of material handling equipment in the missions at the time of start-up, chokes the flow of SDS as most of the heavy equipment and vehicles are usually shipped from UNLB in 20-foot sea-containers.

There is a need to ship SDS in smaller shipping units to locations that do not have adequate handling equipment. In addition, both the SDS programme and troop-contributing countries will deploy material handling equipment at an early stage of mission deployment.

36. Recent deployments of SDS have provided valuable lessons in cargo management in terms of stuffing, marking, dispatching and security of containerized cargo. **All high value cargo will be kept in containers. All containers will have prominent external markings for their quick identification.**

37. For immediate operationalization of SDS to missions, UNLB has developed its capacity to deploy technical support teams to assist and train mission staff in the immediate deployment of the stocks. **The concept of technical support teams needs to be institutionalized.**

38. Receiving missions require early notification about SDS equipment and its movements. **The Galileo inventory management system will be implemented in all new missions prior to the arrival of major items of SDS.**

39. AT UNMIL, the scarcity of staff required for receipt and inspection at the mission start-up was a major constraint. Despite staffing shortfalls, ships and aircraft were offloaded in a timely manner, although the receipt, inspection and consequently the issue of United Nations-owned equipment was delayed, affecting mission deployment schedules, in particular to the sectors. **Adequate receipt and inspection capacity must be built into the rapid deployment teams, and the staff required for port operations and receipt and inspection of SDS must be deployed prior to arrival of shipments of stocks in the mission area.**

40. The changing operational environment is posing new material challenges to existing peace operations. For example, security-related SDS equipment has been shipped to existing operations to upgrade minimum operational security standards (MOSS). **The practice of supporting existing missions with SDS on a case-by-case basis has proved to be beneficial.**

V. Conclusion

41. Strategic deployment stocks are beneficial both in increasing the speed of deployment and in helping to overcome the equipment shortfalls of troop-contributing countries. Meeting the challenges of rapid deployment will not be easy and will require the continued collaborative support of Member States to make United Nations peacekeeping an effective instrument in helping to end violent conflict and build peace where it is most needed.

42. The Secretariat is committed to developing the United Nations rapid deployment capacity and material readiness and will continue to monitor the issues identified in the present report and to inform Member States of developments through the reviews of UNLB and the performance reports of the receiving missions.

43. The Secretariat will continue to develop the management capacity of UNLB and the composition of SDS to accommodate the changing operational environment of peacekeeping. This will require continuous adjustments through replenishment, rotation, new procurement and transfers of items from United Nations reserve stocks. The Secretariat is defining procedures on SDS items transferred from United Nations reserve stocks and other sources.

VI. Actions to be taken by the General Assembly

44. It is requested that the General Assembly:

(a) Take note of the present report and acknowledge the completion of the implementation of the SDS programme;

(b) Approve the use of savings derived from liquidation of SDS obligations and the unspent balance to cover losses on currency exchange and replenishment of the stocks;

(c) Approve the inclusion of SDS replenishment within the $50 million commitment authority;

(d) Authorize the Secretary-General, on an exceptional basis, with prior concurrence of the Advisory Committee on Administrative and Budgetary Questions and subject to the Financial Rules and Regulations of the United Nations, to enter into commitments over and above the $50 million for replenishment of SDS in respect of the start-up phase of a new peacekeeping mission, to be financed from within the authorized level of the Peacekeeping Reserve Fund.